

CONCORD TOWNSHIP ZONING COMMISSION
LAKE COUNTY, OHIO
PUBLIC HEARING and REGULAR MEETING

Concord Town Hall
7229 Ravenna Road
Concord, Ohio 44077

August 1, 2017
7:00 p.m.

TRANSCRIPT OF PROCEEDINGS

Zoning Commission members present:

Andy Lingenfelter, Chairman
Morgan McIntosh, Vice Chairman
Gerard Morgan
Frank Schindler
Rich Peterson

Also Present:

Heather Freeman, Planning & Zoning Director/Zoning
Inspector
Sydney Martis, Planner/Assistant Zoning Inspector
Michael Lucas, Esq., Legal Counsel

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1 7:00 p.m.

2 CHAIRMAN LINGENFELTER: Good evening, everyone. I
3 would like to call this public hearing or -- I am sorry -- the
4 Concord Zoning Commission meeting, Tuesday, August 1st, to
5 order. We have a fairly lengthy agenda with a public hearing
6 this evening, a number of amendments that need to be gone
7 through. And, first, what I would like to do is kind of read
8 through what amendments we are going to be considering this
9 evening and how, what the process flow is going to be for
10 tonight.

11 The public hearing for the following amendments:

12 Amendment Number 1 is to amend the Zoning Resolution
13 to establish the Innovative Site/PD Overlay District as a
14 planned development in Section 21, and delete in its entirety
15 Section 13.36, Innovative Site/PD as a conditional use in the
16 Capital District.

17 Amendment Number 2 is to amend the Zoning Map to
18 rezone the following presently designated parcel numbers to the
19 Innovative Site/PD District, and they are listed in the agenda
20 and they will be further described in Exhibit A.

21 Amendment Number 3 will be to revise Section 5.02 to
22 include new definitions for terms related to parking and revise
23 others.

24 Amendment Number 4 will revise Section 11.01 to
25 require zoning permits for porches, and retaining walls that
26 require a permit from the Building Department. Revise to
27 include reorganization of the existing sections and headings.

28 Amendment Number 5 will be to revise Sections 13.07,
29 13.08, 13.11, 30.12, 13.16 to reference compliance with all
30 parking regulations in Section 29. Revise Sections 13.17,

1 13.25, 13.26, and 13.28 for compliance with the waiting space
2 requirements in Section 29.

3 Amendment Number 6 will be to revise Section 15.03(I)
4 to require all residential districts comply with the parking
5 regulations in Section 29. Modify Section 15.05 to clarify
6 that minimum "residential" floor area and enclosed parking
7 requirements are set forth in Table 15.05-1, and enclosed --
8 unenclosed off-street parking is regulated in Section 29.

9 Amendment Number 7, to revise Section 16.07(C) to
10 reference Section 13 for a conditional use permit for a
11 commercial center, and site plan review is required for a
12 commercial center. Modify Section 16.08 and 16.09 to require
13 a commercial center in a PUD to meet the requirements of
14 Section 29 Off-Street Parking. Revise zoning permit process in
15 Section 16.15 to reference Section 11. Clarify Section 16.16
16 for minor or major modifications to an approve development
17 plan. Revise 16.24(C)(4) to require a landscape plan to be
18 submitted for any open space area disturbed during
19 construction.

20 Amendment Number 8, revise Section 22.03 to remove
21 drive-thru facilities, Innovative Site/PD, Townhouses and
22 Live/Work Units as conditional uses within the Capital
23 District. Revise Section 22.09 to include regulations for
24 maintenance of unimproved areas, watercourses and stormwater
25 facilities. Delete Section 22.10 Capital District standards.

26 Amendment Number 9, revise Section 29.01 to add new
27 purpose statements related to green infrastructure and reducing
28 impervious surfaces in parking areas. Revise Sections 29.02
29 Applicability, 29.03 General Standards, 29.04 Off-Street
30 Parking Requirements, 29.05 Alternative Parking Options,

1 29.06 Parking Lot Design Standards, 29.07 Parking Lot Access
2 Drive Regulations, 29.08 Bicycle Parking and Waiting Space
3 Requirements.

4 Amendment Number 10, revise Section 34.02 to require
5 all properties not agriculturally exempt to obtain a zoning
6 permit for construction of fences.

7 Amendment Number 11, revise Section 36.03 to require
8 all site plans to be reviewed by the Zoning Commission. Revise
9 Section 30.04 -- 36.04 to require plan items to be submitted.
10 New Section 36.09, Significance of an Improved Final Site Plan.
11 Revise 36.11 to add new standards for minor and major
12 modifications.

13 Amendment Number 12, revise Section 37 to include
14 references to the IS/PD Overlay District, include new
15 Section 37.06 Pedestrian Facilities and Section 37.07 Maximum
16 Setback and Wall Orientation for "Concord Circle" Frontages.

17 And, finally, Amendment Number 13, revise 38.02
18 Applicability, Section 38.03 General Requirements,
19 Section 38.05 Interior Parking Lot Guidelines, and other
20 sections to reference the IS/PD Overlay District.

21 So, as you can see, we've got a lot to cover.

22 AUDIENCE MEMBER: We can read, too.

23 CHAIRMAN LINGENFELTER: Okay. With that said, I
24 would like to open the public hearing. And I would like to
25 introduce Heather Freeman, if she would like to come up and
26 introduce the consultants, that's Risinger and Associates.
27 They are here to put on a presentation for the Board. And,
28 Heather, go ahead and do the introduction for us.

29 MS. FREEMAN: Good evening. I just wanted to take
30 this opportunity to welcome back, we have this evening with us

1 Ben Fierman, Eric Risinger, and Barb Dickson, with Risinger and
2 Associates. I know they've attended a couple special meetings
3 that we've had with the Board, so this is not the first time
4 that you've had conversations with them. But I thought this
5 would be a great opportunity to invite them back to give a
6 presentation that will help reinforce some of the basic
7 planning principles that went behind designing the Town Center
8 concept, and those are concepts that the proposed zoning
9 language is based upon.

10 CHAIRMAN LINGENFELTER: Please state your name and
11 your address for the record when you speak. Thank you.

12 MR. RISINGER: Good evening. Eric Risinger, with
13 Risinger and Associates. We're at 1032 West Fulton Market in
14 Chicago, Illinois.

15 CHAIRMAN LINGENFELTER: Hold on a second. Excuse me,
16 sir, sir, sir.

17 AUDIENCE MEMBER: I just want to tell you we can't
18 hear anything back here.

19 CHAIRMAN LINGENFELTER: There is no, there is no loud
20 speaker system in here, sir. You are going to have to pay
21 attention.

22 MR. PATTERSON: He can speak a little louder, Andy.

23 CHAIRMAN LINGENFELTER: Well, he can speak, if he is
24 able to do that, he can do that. All right. Okay, go ahead.

25 MR. RISINGER: Okay. And I am here with Barb
26 Dickson, who is with our firm as well, with Risinger and
27 Associates, and Dr. Fierman. And what we would like to do is
28 we're going to walk you through the planning principles that
29 form the overall planning and recommendations that we have
30 made. In addition to that, we will be referencing certain

1 elements of the Comprehensive Plan and areas where we felt were
2 influential so that we can come back and really summarize our
3 previous meetings that we've had with the Zoning Commission.
4 So thank you for having us back.

5 So, Barb, let's go to the next slide.

6 AUDIENCE MEMBER: Nobody back here can see anything.

7 MR. PATTERSON: Nothing to see.

8 AUDIENCE MEMBER: At least, close the door.

9 MR. RISINGER: So 2004, the Comprehensive Plan
10 outlined a series of recommendations, and this Comprehensive
11 Plan was made up of the Concord Township's Citizens Advisory
12 Committee. And some of the elements that are highlighted here
13 explain the basis of what our conversations led to in terms of
14 planning and recommendations for the new -- for the Town
15 Center.

16 And so just to reiterate here, on Item 2, to provide
17 for a limited amount of smaller-scale cluster, attached and
18 senior housing in areas served by sewer/water services that are
19 conveniently located to retail, transportation and other
20 support services. At the bottom of the page, you will see
21 additional recommendations in terms of mixed-use centers, areas
22 where the township would like to provide housing options that
23 support the goal of providing a community town center or other
24 mixed-use options.

25 And these elements are important because they
26 continue to evolve. And you will see in our timeline, which is
27 on the subsequent slide, is this starts to talk about where
28 this all began. So 2002-2004 is when the Comprehensive Plan
29 update project began. And within that process, obviously, the,
30 the statement up here, but I will just repeat it a little bit

1 here, is the Citizens Advisory Committee was formed, the survey
2 and public hearings were had, and policy direction and
3 recommendations were put forth. And, again, just -- this is
4 isn't coming out of thin air. We aren't trying to take
5 something in different direction. We are really trying to
6 bring good planning principles forward.

7 In 2006, you have the Auburn-Crile Business Corridor
8 Study that was completed, and in that, it includes the new
9 development, the BX, the RD-2 Districts, targets for more
10 aggressive marketing and development, and a town center concept
11 recommendation.

12 And then in 2008, the Concord-Painesville JEDD was
13 created, so the Joint Economic Development District, 2008,
14 again, helping serve as a continued catalyst for economic
15 development within Concord Township.

16 So 2011 through 2016, it kind of, in this, in this
17 process was the Auburn-Crile Road Connector Improvement
18 Project. And in that project there was forecast of about 20
19 years in terms of how the traffic was going to be handled, what
20 they were forecasting in the road improvements. So that was
21 contemplated back in 2011, obviously, being implemented and
22 completed recently.

23 In 2014, the Economic Development Joint Committee,
24 with the JEDD and Township, City of Painesville, to create and
25 purchase then the Concord Township land purchase. Now, that
26 was through the JEDD and not through specifically the township.

27 In 2014-2015, that's when we began the project
28 planning update, public hearings, recommended zoning changes,
29 and at that time a Town Center RFP was issued. So that is an
30 important milestone. That is not the RFP that we have issued.

1 That was one that was prior to our efforts here. And part of
2 the feedback that was understood and part of the analysis that
3 the groups went through was to understand, why was there a lack
4 of response? What was not coming forward? And part of that
5 had to do with not understanding what the overall vision was
6 and wanting to really have a comprehensive view of what this
7 might be and what it could be. And at the same time, you had
8 the road project which was from Crile cutting across 44 that
9 was in the works and then under construction but not yet
10 completed. And so having that completed was an important
11 aspect of the original RFP.

12 In 2015, the strategy planning meeting leading into
13 the Concord Town Center Master Plan project. And so,
14 essentially, going back to looking at, critically, elements
15 that were successful, elements that weren't successful, and
16 looking at how the Concord 2004 Comprehensive Plan, 2015 Plan
17 can still be evolved and moved forward.

18 And then here we are, 2017, for the Zoning Resolution
19 updates.

20 So the Fair Housing Act covers most housing. And I
21 know some of the discussions have been about, what are we
22 looking at? What are we trying to provide here? What are we
23 intending to do? Obviously, any development that occurs within
24 Concord Township, with any community, needs to meet all the
25 applicable codes for the jurisdictions having authority.

26 So the notion that the Fair Housing is not going to
27 be complied with is certainly not at all intended, and more
28 importantly, will be the responsibility of any developer coming
29 in. But also within the zoning, that is expected and
30 anticipated. So in terms of buildings that are ready for

1 occupancy after March 31st, they must have public and common
2 areas that are accessible to persons with disabilities,
3 absolutely. Doors and hallways must be wide enough for
4 wheelchairs. All units must have accessible routes into and
5 through unit, accessible light switches, reinforced bathroom
6 walls that allow for installation of grab bars, so all of these
7 things that are a part of the Americans with Disability Act, as
8 well as any other code that local governing authorities might
9 have put in place that add more restrictions.

10 So part of what we wanted to make sure that we were
11 bringing forth for your reference was, what is a town center
12 and what is good planning? So mixed-use development is a real
13 estate project that is essentially planned with the integration
14 of accommodation of retail, of office, hotel, recreation, other
15 functions. It is a -- It is intended to provide for a
16 pedestrian-oriented development, something that, quite
17 honestly, rarely exists in Concord Township today. So there
18 are very few developments that are walkable without being in
19 your automobile. And then, lastly, it maximizes space usage.

20 And so one of the things that is important here when
21 you look at the expression "and tends to mitigate traffic and
22 sprawl," when developments are encouraged to be single story,
23 what they end up doing is they're actually taking up a huge
24 amount of land mass. And so you have urban sprawl, you will
25 have multiple expressions of long, deep buildings, and we have
26 other examples that we will be able to show the Commission.

27 So what is the difference between a lifestyle center
28 and a town center? And this is something that, with our
29 clients, we certainly go through and we talk about those
30 expressions because those are important to really understand.

1 And so the lifestyle center is really comprised of an upscale
2 national chain which is serving as an anchor and then stores
3 with dining and entertainment that are built around that. But
4 it is solely dependent upon a single anchor coming in and
5 serving as the catalyst for that development.

6 Town center is an enduring, walkable and integrated
7 open-air multi-use development. So it is organized by
8 identifiable and energized public realms and it is intended to
9 provide a long-term, good planning solution that is built over
10 time, certainly not -- we are not expecting it to literally pop
11 up overnight, but good town planning principles that are
12 brought in. So right now Crile Road, the retail along Crile
13 Road is traditional strip center, more lifestyle center,
14 certainly not town center oriented.

15 So looking at traditional neighborhood developments,
16 what we wanted to make sure that we were doing is really
17 rooting both the advice, the direction, the nuances that we
18 talked about in the zoning. And when you look at a traditional
19 neighborhood development or a village-style development or a
20 town center, it includes a variety of housing types.
21 Essentially, this, this use creates activity both in providing
22 for retail, mixed use on the housing and on commercial
23 districts.

24 So our goal in going through the development and
25 going through the process of understanding how do we enhance
26 this, how do we further define what Concord Township is looking
27 to do, it is to make sure that we're providing that right mix
28 so that the commercial district is vibrant and strong, so the
29 commercial district has an opportunity to be successful, that
30 it's not solely dependent upon one tenant, one user, because

1 what you do see out there is, when you have a lifestyle center
2 and that major tenant moves out, then you are at the risk of
3 the other tenants then starting to fold in with that.

4 So a TND is a complex undertaking and most developers
5 would chose a more familiar, less risky sprawl model. And, of
6 course, Concord came back to us and said, "That's not what
7 we're looking for. We're looking for the right planning
8 development. We are looking for one that is for the long term.

9 So, generally, if these are implemented in a
10 wholistic manner, which, again, is what the plan represents, it
11 is not intended to be something where it's just one piece
12 that's solely developed in spite of other elements to this.
13 It's to create an opportunity where you have a complementary
14 development and you have a solution that is completion but
15 viable and works.

16 So what's the rationale for this? And, right now,
17 you cannot walk from one side of Concord to another side of
18 Concord Township, 44 is a barrier. And putting in the Capital
19 Parkway and extending and coming across over off of Crile has
20 been a significant improvement.

21 In addition to this, what we're looking to do is to
22 seek where we have a low density, you know, seek to get away
23 from this low density, auto-oriented development and look at
24 solutions that are pedestrian friendly, that are walkable, that
25 are sustainable, that have open lands, that preserve open
26 space, address parking needs. All of those items are addressed
27 in the, in the current zoning as well as some of the zoning
28 amendments that we are proposing.

29 So good sustainability practices. So, again, our
30 goal here was to make sure that we're helping identify how to

1 create and generate economic growth. How can we create a
2 proper diversity of that economic growth so that we are seeing
3 it sustained over years and over time and not susceptible
4 significantly to some mark in patterns and in danger of taking
5 out what is being put in. So using existing infrastructure,
6 encouraging clustering. Again, when you look at density and
7 you look at the opportunity to have this overall development,
8 when you look at the proposed plan and you look at the overall
9 density, it's low and it's also comparable to what other
10 developments have out there that are very successful.

11 The benefits of a traditional neighborhood
12 development is we finally get a walkable neighborhood. And
13 when we have studied the community and you look through the
14 community elements, there are very few sidewalks to walk on.
15 If you are in a neighborhood, generally, you are walking in the
16 street if you are going from Point A to Point B, and generally
17 it's automobile based. So we are looking to bring walkable
18 communities by allowing mixtures of uses, encouraging
19 transportation mode options, protect open space. You will see
20 in our proposed solution is the riparian corridor and the
21 wetlands that might exist on the site, to have an opportunity
22 to solve that stormwater now and not wait for somebody else to
23 not understand it and make sure that we are acknowledging it;
24 create communities designed for live, work and play. And then,
25 lastly, reduce vehicle congestion by having the opportunity
26 where you can be in a development and walk to that place
27 that -- or ride your bicycle to that place that you would like
28 to go to.

29 So risks, not taking into account all the elements
30 can lead to developments that fail to certainly meet

1 expectations.

2 So NAIOP, the National Association of Industrial
3 Office Properties, certainly, that association spends every
4 year studying and looking at and having staff that evaluates
5 what can we capitalize on synergies for these types of
6 developments, and what they're talking about is make sure that
7 each use is significant to the level of the market demands.

8 So, again, the plan that we have is purely a graphic
9 gesture of what could be allowed by the zoning. It is not
10 dictating and saying that that is the solution. Certainly, our
11 graphic representation is not what you're implementing. You're
12 implementing the zoning amendments. And it is to give you a
13 benchmark so you can understand what the possibilities are.
14 Then when future developers come to you, you have a benchmark
15 by which you can measure that.

16 Barb, let's go to the next slide.

17 So the principles for developing successful town
18 centers is looking at enduring and memorable public realms.
19 You will see in the plan we propose a market square. This is
20 gazebo where we would envision the opportunity to have farmers
21 markets, to have art fairs, to gather the public, to again give
22 an amenity back to the community and, at the same time, make
23 sure that the retailers and the commercial district can be
24 successful in having a place that people want to go to, having
25 a place that people can drive to and walk around and feel that
26 they want to spend time.

27 So we are looking at, in our plans, balancing the
28 flexibility with the long-term vision. We're looking at
29 providing integrated multiple uses. We're looking at a
30 connection to the community, and we are asking for the zoning

1 to encourage that investment in the community.

2 So in terms of, you will hear the term, and you will
3 probably hear it more in current planning principles, but the
4 "place making" term, the idea that you are providing a place
5 where people want to spend time. It is what is driving
6 developments. Lifestyle centers are trying to be, kind of,
7 that quasi place-making element, as well as trying to be the
8 retail place. We're saying, yes, in the Town Center, you can
9 have both of that.

10 And so we're looking at providing multiple living and
11 work places, retail, and creating an opportunity where
12 developers can come in and know that this mixed-use development
13 can be thriving, can be living, and provides an environment
14 that people are looking for, again, looking for that long-term
15 development phase in the planning that we have submitted in
16 front of you guys.

17 So through all of this, the Concord Township, the
18 JEDD has created this vision statement of developing a
19 destination town center that reflects Concord Township. In
20 addition to that, the goals are: Create walkable, bikable
21 access to and from the Town Center. This is important. The
22 market is asking for this. The market wants this. But, more
23 importantly, it's good sustainable practices that start to
24 reduce the reliability on automobile, provide residential
25 living within the Town Center to attract and retain growing
26 populations. And in addition to that, then the growing
27 residential will help and, and support the commercial, office
28 and mixed-use development.

29 So this slide is starting to represent those items
30 that are both currently in your zoning and items that we're

1 also looking at amending. And what we -- This is the area of
2 the plan that is the mixed-use development. So on this plan,
3 you are seeing the proposed gazebo, again, for that place-
4 making element for the public to gather, for the opportunity to
5 have those public functions that, you know, concerts on the
6 lawn on summer Tuesday night, having the art fair, having the
7 farmers market, again, creating that gathering place-making
8 spaces.

9 And then within this just, again, a graphic
10 representation within the zoning is to say ground floor could
11 be retail. The upper floors could be either office or a mixed
12 use. And, at the same time, what we're, what we're
13 representing are the standards for the parking for both giving
14 an opportunity for on-street parking, as well as we have a
15 proposed deck underneath this area for off-street parking as
16 well.

17 So in this plan, what we are talking about is the
18 mixed use is represented by the yellow color coding. We are
19 showing additional mixed-use office as well within the blue and
20 then, obviously, transitioning down into residential in the
21 RD-2 District as an overlay. And we will come back to this and
22 talk about this a little bit further.

23 So one of the things that we wanted to make sure that
24 we are really based upon and understanding is some of the
25 myths and facts that past clients have talked with us about,
26 have been concerned about, and making sure that we are
27 addressing those items. So the American Institute of
28 Architects, the National Multifamily Housing Council, Sierra
29 Club, Urban Land Institute, this is a joint paper that they had
30 published, and this is a good overview based upon these

1 organizations putting together their data and their research.

2 So myth is higher-density development overburdens
3 public schools and other public services and requires more
4 infrastructure support systems. The fact: The nature of who
5 lives in higher-density housing -- and, again, higher density
6 is all relative. So I will give you a for example. If you had
7 a parcel that was one and got split into four, for your
8 neighbors that would be considered higher density. So higher
9 density is all relative. The density that we've been talking
10 about throughout the planning process and that we have shown
11 you is all within a -- within the context of case studies that
12 we have presented and you are, you are not exceeding any of
13 those numbers, and we will speak to those specifically.

14 So fewer families with children puts less demand on
15 schools, public services than low-density housing. And,
16 moreover, the compact nature of higher-density development
17 requires less extensive infrastructure to support it.

18 Myth Number 2 and Fact 2: Higher density development
19 lowers property values in surrounding areas. Fact: No
20 discernible difference exists in the appreciation rate of
21 properties located near higher-density development and those
22 that are not. Some research has even shown that higher-density
23 development can increase property values.

24 What's important about this development is that it's
25 truly not adjacent to any other development that is in this
26 corridor. So, again, we are looking to speak specifically
27 towards the idea of allowing the residential, which is
28 currently allowed in the current zoning in the Capital
29 District, to be part of the overall fabric of the solution.

30 Myth 3: Higher-density development creates more

1 regional traffic congestion and parking problems than
2 low-density development. Higher -- Fact: Higher-density
3 generates less traffic than low-density development per unit;
4 it makes walking and public transit more feasible and creates
5 opportunities for shared parking.

6 Again, what we're starting to talk about is that
7 cross traffic. What happens when -- if there are people in
8 that development? They can walk to it. Right now, you cannot
9 walk to anything in Concord. As a matter of fact, walking from
10 anyplace that is, essentially, east of 44 to go west is not
11 feasible. You have to drive.

12 Higher-density development leads to higher crime
13 rates. Fact: The crime rates of higher-density developments
14 are not significantly different from those at lower-density
15 developments.

16 Myth 5: Higher-density development is
17 environmentally more destructive than lower-density
18 development. The fact is low-density development increases air
19 and water pollution. Again, that goes back to the sprawl that
20 we were talking about. It destroys natural areas by paving and
21 urbanizing greater swaths of land. In our, in our proposed
22 plan, suggestion is to show how you can have the open land
23 space with the development with mix used and create a cohesive
24 blend that, frankly, the market is asking for.

25 Myth 6: Higher-density development is unattractive
26 and does not fit in a low-density community. Fact:
27 Attractive, well-designed and well-maintained higher-density
28 developments attract good residents and tenants and fits into
29 existing communities. And, again, this area within Concord
30 Township is a very small fraction of the overall land

1 development that is available and this is a community that will
2 be driven by the market. There is a -- The goal of having the
3 commercial blend with the residential will start to dictate
4 what the developer can do and what they're going to put out
5 there as a product. Again, they're the ones taking the risk.
6 You're not developing this. That's not what we are proposing.

7 MR. PATTERSON: They already --

8 MR. RISINGER: Myth 7: No one in suburban areas
9 wants higher-density development. Fact: The population is
10 changing and becoming increasingly diverse. Many of these
11 households now prefer higher-density housing even in suburban
12 locations.

13 Eight: Higher-density housing is only for lower
14 income households. Fact: People of all income groups choose
15 higher-density housing, and we have examples that we can
16 certainly show.

17 So looking at the planning drivers and going into the
18 data sets -- And, again, these aren't data sets that we're
19 inventing, these data sets that are sitting out there. So
20 looking at the Wharton School, Business School, "The Return of
21 the Town Center," there's a really interesting article written
22 about the return of that and it is as much about congregating
23 as it is much about merchandising, that indeed when you provide
24 that in your planning solution, that mix of place-making and
25 opportunity for people to gather, you actually are providing
26 the support for the commercial district.

27 In the *Federal Reserve Bank of Kansas City*, "The
28 Demographic Shift From Single-Family to Multi-Family Housing,"
29 it will put downward pressure on single-family relative to
30 multi-family housing places -- prices, exactly. What's

1 happening is the shifting of the consumer demand away from
2 goods and services complements large indoor space and a
3 backyard towards goods and services more oriented towards
4 living in a multi-family setting.

5 And then looking at *Curbed*, Millennials will begin to
6 form households in masses, millions of baby boomers will
7 retire, seek out multi-generation -- generational neighborhoods
8 and will continue to evolve and grow.

9 And, again, part of the 2004 Comprehensive Plan
10 talked about the fact that Concord, over time, will need to be
11 addressing the different housing types and looking at making
12 sure that they're understanding what the demographic shifts are
13 at and making sure that we are providing for that.

14 So on this, on this graph here, this is by the Urban
15 Land Institute talking about where people are living and how
16 are they living. Thirty-eight percent of Gen Y expects to live
17 in multi-family housing by 2020.

18 Go to the next slide.

19 AUDIENCE MEMBER: Could you repeat that?

20 MR. PATTERSON: Yeah, that's a real good quote.

21 AUDIENCE MEMBER: Thirty percent of what?

22 MR. RISINGER: Thirty-eight percent of Gen Y'ers
23 expect to live in multi-family housing.

24 MR. PATTERSON: Of what, Gen Y?

25 MR. RISINGER: Yes.

26 MR. PATTERSON: What's a Gen Y?

27 MR. RISINGER: Generation Y.

28 AUDIENCE MEMBER: Oh, Generation Y.

29 MR. PATTERSON: Generation Y, who's that?

30 MR. RISINGER: It's a mix with your millennials and

1 those that are not quite the baby boomers with the Gen X.

2 AUDIENCE MEMBER: How old are they?

3 AUDIENCE MEMBER: Yeah, what age?

4 CHAIRMAN LINGENFELTER: Excuse me, folks. We're not
5 going to start with the cross-examination. This presentation
6 is for our benefit, not for yours.

7 AUDIENCE MEMBER: We want to understand.

8 CHAIRMAN LINGENFELTER: We will expect order.

9 AUDIENCE MEMBER: No. We just --

10 CHAIRMAN LINGENFELTER: We will expect order. There
11 is no cross-examination this evening. He will give his
12 presentation. This is for the Board. Thank you.

13 Go ahead.

14 MR. PATTERSON: Don't you have any questions, Andy?

15 AUDIENCE MEMBER: But we are the residents. We --

16 MR. RISINGER: So looking at the planning drivers
17 again and then trying to understand the housing trends for
18 empty-nesters, the empty-nesters are looking for multi-family,
19 low/no maintenance living and, obviously, looking for something
20 that is accessible. So the, the -- If you look at the *Chicago*
21 *Tribune* as an example, which is talking about a national report
22 by Jeffrey Steele, many empty-nesters desire to relocate to
23 smaller, maintenance-free homes with higher-quality finishes
24 and amenities, values quality in the detail of a home with
25 energy efficiency and flexible living spaces driving the trend.

26 Look at Crain's "Retired, but opting to stay in the
27 'burbs," and one of the demographic trends that we are seeing
28 is that, in this part of northeast Ohio, is providing that
29 stepdown housing, the opportunity for that person to be able to
30 not have to leave their community but, perhaps, sell their

1 single-family home and moving into a multi-family option that
2 can accommodate them and offer that maintenance-free living.
3 And, again, whether that is a vertical multi-family or
4 horizontal, we are not making that statement here right now.

5 So what we wanted to do is to start to show you the
6 basis in some of the points of examples that are actually
7 planning and then subsequently built. So what you are seeing
8 on the left is the Concord Town Center, one of the options for
9 the housing and townhome residential. And what you're seeing
10 in the middle is an example of the density that has been
11 translated into the image that you see here on the right.

12 So what you are looking at is two- and three-story
13 expressions of the residential component. You are seeing what
14 happens when that plan then translates to the, to the
15 residential picture. And, again, the basis of our planning
16 efforts was to make sure that we're maintaining what is,
17 essentially, Concord and make sure that we're accommodating the
18 culture and the identity that we believe is important to
19 Concord Township.

20 So this is another example in terms of translating
21 that multi-family product into the built product. So this is a
22 development that was a former naval air base that the community
23 market demands which were looking for the attached townhome.
24 So these all have living on -- and master bedrooms all on the
25 ground floor. There is a den and guest room option on the
26 upper floors. But this is all appeal to both young families as
27 well as to people, seniors that are stepping down in their
28 housing.

29 Barb, can you go back to that real quick?

30 So what you're looking at here is 18 dwelling units

1 per acre in this, in this plan which is matching the -- over
2 here. Okay.

3 This is a development that starts to represent what a
4 commercial mixed-use development might look like. On the
5 ground floor, you have professional offices, you will have
6 dental offices, you have an accounting firm, et cetera. On the
7 upper three floors in this scenario, you have terraces, you
8 have condominiums up above. Their square footages range from
9 1,800 square feet to 2,400 square feet. This, this building is
10 in very, very high demand and that is an 8 -- this building
11 represents an 18-unit, dwelling unit per acre.

12 And then, lastly, one of the examples we wanted to
13 show you was, again, trying to translate some of the planning
14 principles, you can start to see here the option for both these
15 duplexes, single-family, as well as the multi-family, and then
16 the translation into what that starts to look like as far as a
17 multi-family scenario. Again, market demanding a liveable,
18 walkable community, scale architecture all appropriate to meet
19 those demands.

20 Another example within the mixed-use development
21 corridor is here looking at First and Main in Hudson, again,
22 translating what that multi and -- story and mixed-use
23 development might look like, again, retail ground floor in this
24 case, it might be offices up above, again, all with which are
25 planned into the solution that we're representing that are
26 allowed by the code.

27 And then we wanted to start to show, when you have a
28 combination of both retail centric as well as residential, so
29 this building is actually this building here that you see on
30 the right. But what's unique about it is what they've done is

1 it's all ground floor retail and then it is, up above, it is a
2 residential unit. Some of them actually are two-story above
3 that as well. So it gives them an option. It's almost like a
4 townhome on top of the retail and, at the same time,
5 overlooking the open lands that the developer wanted to create
6 which was part of the attractiveness of this overall
7 development.

8 And then for reference, just to continue to look at
9 what we have proposed, what you are looking at in the
10 amendments is the opportunity to create that liveable, walkable
11 community, wide sidewalks, carriage path, signage, trees, safe
12 crossing zones, parking that's controlled within the
13 configuration of the curb line and, again, how that might look
14 if it were completed and built.

15 So this starts to, again, go back to the basis of our
16 conversation. Again, what does the opportunity hold and what
17 might it look like for Concord Township? So we are looking
18 down Auburn and Capital Parkway is here and we are getting a
19 bird's-eye view of the commercial mixed-use zone that we have
20 talked about.

21 Again, what we're -- what we have talked about and
22 wanted to start to visualize so we could benchmark for
23 yourselves and for others is to understand that we're looking
24 at a community that is to be attractive for people to,
25 obviously, want to spend time in, for retailers to want to come
26 in here and participate in this, in this development.
27 Certainly, there are opportunities to -- for citizens to come
28 in and residents to experience the market area, to open this
29 up, to envision maybe cafe dining out here, to participate in
30 the retail, smaller shops that might be part of this, this

1 solution.

2 What we are not driving here is we're certainly not
3 looking for that big box retail. We're not looking for a
4 retailer to come here, single-story, and suddenly have a field
5 parking of 1,500 spaces and driving out the overall concept of
6 this mixed-use development. And this is another view again now
7 looking down Capital Parkway towards the -- one of the multi-
8 family buildings here in the distance and then starting to lead
9 in towards the townhomes.

10 Now, in the background here, what you start to see is
11 the Ellison Creek Preserve, and one of the things that we
12 wanted to do is to acknowledge what is there, what is natural
13 by nature and to make that into an amenity. So what, again,
14 what we are saying might be, a developer might start to look at
15 is, perhaps, a walking or jogging track around the open green
16 field space, to talk about an opportunity for an amphitheater
17 out there. Again, we're not expecting the present company to
18 pay for that. We are just suggesting what might be good
19 community amenities and we're talking about gathering and being
20 communal.

21 Now, the other thing that we are talking about is
22 also the opportunity that there might be an area to walk out
23 onto a dock and experience that wetland and also the
24 opportunity to walk this entire community.

25 Next area. So the Gateway into this area, so here we
26 are on Auburn and we are looking south and we are heading down
27 and, on both sides, you can see the scale and the factor of
28 these, of these three-story buildings.

29 So, again, finishing up and looking at the plan here,
30 we are looking at views and the mixed use commercial area, we

1 are looking at views down Capital Parkway towards the
2 residential, as well as then looking across here at the market
3 square as well as the detention/retention pond.

4 So in terms of the overlay district, what we are,
5 what we are talking about is the opportunity, within the
6 overlay district, to allow the residential component to be part
7 of the fabric that a developer may choose to engage in. Again,
8 the, under zoning, the RD-2, as well as the current Capital
9 District is not changing. We are not rezoning. We're asking
10 for an additional use to be added to that, to the RD-2
11 District. That residential use, under conditional, is allowed
12 currently in the Capital District. We are not looking to
13 change that, we are looking to enhance that.

14 One of the elements that I thought was a compelling
15 story just to start to look at is when we talk about, well, who
16 would want to live here, why would they want to live here, it's
17 the, the, all of the red zones represent automobile access
18 only, nonwalkable roadways. And we can certainly debate the
19 yellow zones here but, again, it's not a -- there's no
20 sidewalks. There is nothing for the pedestrian on those, on
21 those areas.

22 So why this development? This development, again,
23 with the zoning amendments, is looking at having the sidewalks,
24 having a liveable, walkable community, trying to reduce the
25 congestion of the automobile traffic and really provide a
26 sustainable development that will be well received in the
27 marketplace and drive a very pleasant and, and liveable
28 experience and retail experience for anybody wanting to come
29 into this district.

30 So under the current zoning, these uses and this type

1 of corridor actually could be built. So under the commercial
2 right now, what you are seeing here is a big box retail, fields
3 of parking and an area that we're concerned that, if we can
4 make those, some of those zoning recommended changes to offer
5 an opportunity for a developer to understand what is the vision
6 for Concord.

7 Again, some of the uses that actually could currently
8 come into play and so you could certainly have a distribution
9 hub and other industrial uses in the area.

10 So RD-2 District, Research, Limited Industrial,
11 existing permitted uses, all of these functions can currently
12 go on in here. So everything from medical and dental office to
13 meeting and banquet facilities to publishing, printing, sports
14 clubs -- all right, let's go -- hotels, motels, et cetera.

15 And, again, what we are looking for is the
16 opportunity to expand the uses in the Capital District -- Barb,
17 go to the next one -- and, again, looking at living, adding
18 under the Innovative Site/PD, the live/work and multi-family
19 residential.

20 So in talking about zoning controls, we wanted to
21 make sure that we cover some of the areas that is in the, in
22 the text and that we understand that we're wanting to make sure
23 are in place for the community. And so the, some of the design
24 standards that we have recommended in terms of what is in here,
25 maximum development coverage for townhomes, that's in there.
26 Maximum development coverage for stand-alone multi-family, that
27 is controlled, maximum lot coverage, building setbacks,
28 streetscape standards, maximum number of dwelling units per
29 acre, maximum and minimum number of dwelling units per
30 structure, and significance more detailed review criteria

1 including traffic and economic impact studies.

2 So in terms of the review process, the review process
3 is, for the Innovative Site/PD, the overlay district, is to
4 require the reapplication conference. So this is required
5 between the applicant, the Zoning Inspector, Zoning Commission,
6 Trustees and other staff from the township and county as deemed
7 appropriate.

8 And, again, I know you have staff here that can go
9 into further detail. I'll just give the overview and then we
10 can turn it back over.

11 Formal application, after that is done, the formal
12 applicant and development plan is required, and that
13 application and development plan and all required supporting
14 information and documentation, that is Step 2 of this process.

15 Three will be the review for completeness. Once
16 deemed complete, the plans are distributed to other regulatory
17 agencies for review and comment. So, again, Steps 1, 2, very
18 important before it can even be distributed throughout,
19 throughout the agencies.

20 And then the Zoning Commission review of development
21 plan, so that will contain public meetings. Those reviews will
22 be in accordance with all applicable requirements of the Zoning
23 Resolution and those specified in Section 21.08(I). Review
24 each plan and application subject to the regulations set forth
25 in zoning and the design standards.

26 Step 5, Zoning Commission recommend -- recommendation
27 to Trustees. Like we are here today, having an opportunity to
28 understand the plan, have the applicant make the presentation,
29 approve, request modifications, whatever that process entails
30 based upon what you are seeing, the control is here, and even

1 deny.

2 Six, the Trustees' review of the development plan.
3 If and when a plan is approved and recommended for the
4 Trustees, then it goes into another set of public meetings
5 looking for the application process and defining the plan
6 requirements, again, set up in the section. And upon
7 conclusion of these meetings, the Trustees can adopt, they can
8 modify or deny the recommendation of the Zoning Commission.

9 And then, seven, the zoning permits are issued by the
10 Zoning Inspector that comply with the approved final
11 development plan.

12 Is that it? That's it. Thank you very much.

13 CHAIRMAN LINGENFELTER: Thank you. Does anybody on
14 the Board have any questions for Mr. Risinger? Frank, no?

15 MR. SCHINDLER: No. I think he covered it
16 thoroughly.

17 MR. McINTOSH: No.

18 CHAIRMAN LINGENFELTER: Gerry?

19 MR. MORGAN: No questions.

20 MR. PETERSON: I'm good.

21 MR. RISINGER: Thank you.

22 CHAIRMAN LINGENFELTER: I have question for you.

23 MR. RISINGER: Yeah.

24 CHAIRMAN LINGENFELTER: Even if this plan is adopted,
25 it's an overlay, right?

26 MR. RISINGER: Yes.

27 CHAIRMAN LINGENFELTER: So even if this plan is
28 adopted and if we were to move forward with this particular
29 plan, the existing uses that are there today will still be able
30 to be used moving forward.

1 MR. RISINGER: Absolutely.

2 CHAIRMAN LINGENFELTER: And with regards to the
3 overlay project, are you, are you considering that this is an
4 all-or-nothing type of a proposal where somebody has to come in
5 and do the entire -- it's going to be the entire project?

6 MR. RISINGER: No, no.

7 CHAIRMAN LINGENFELTER: Or can they look at
8 components of that project?

9 MR. RISINGER: We anticipate and expect them to be
10 looking at components of that. Certainly, the goal is to make
11 sure that somebody that comes in has a long-term vision for
12 Concord Township. We're looking for a team that wants to be
13 invested in the community, not looking to do one parcel and
14 then walk away. But it is anticipated that they would
15 undertake different parcels at different times and, obviously,
16 implement a phased plan that could take ten years, as an
17 example.

18 CHAIRMAN LINGENFELTER: Could the overlay be adopted
19 without the housing?

20 MR. RISINGER: I believe the overlay is to, in terms
21 of -- can you explain that further when you say without the --

22 CHAIRMAN LINGENFELTER: Well, if we are going to
23 consider this as an overlay district, okay, and let's say, for
24 instance, that there are a lot of favorable components to this
25 that we like but there are some things that maybe we don't
26 like. Is there, is there an option to adopt this, you know,
27 from your design standpoint, is it feasible to do something
28 that would not include the housing?

29 MR. RISINGER: I think that, I think that, in terms
30 of the RD-2 District, the overlay gives the potential

1 development future an opportunity to comprehensively have a
2 solution that could support a commercial district and support
3 other elements on there. The current RD-2, the overlay
4 district is, is not taking away any of those current uses and
5 indeed we're adding the opportunity for the residential.

6 So I don't know if there is any, if there is --
7 Certainly, adopting the overlay would be to adopt, to adopt the
8 residential.

9 CHAIRMAN LINGENFELTER: Right. And is it your
10 contention then, with considering this project as an overlay
11 district, that the housing would be a critical component of
12 everything, that you really couldn't do or you don't see the
13 development reaching its full potential without the housing?

14 MR. RISINGER: Ultimately, from our understanding and
15 our research on the market and what is driving commercial
16 today, the residential is, is an important component of that.
17 And we're not, certainly, we are not saying even in the plan
18 that it has to -- that that plan has to be the only solution.

19 CHAIRMAN LINGENFELTER: Right.

20 MR. RISINGER: And so to have, to have a developer
21 that has the option to bring in a residential component with
22 the other uses currently both in the RD-2, as well as within
23 the Capital District, we believe offers you a long-term
24 sustainable solution for development.

25 MR. McINTOSH: I don't know if I am asking the same
26 question the Chairman asked. Here in the area, we've got a
27 couple of these kinds of projects that have gone under -- or
28 gone under way in the Cleveland area, metropolitan area. I
29 think one of the first ones that comes to mind is Legacy
30 Village, which is down in the Beachwood, Lyndhurst area. I

1 know on the far as west side we've got, over in Westlake, we've
2 got Crocker Park. I've traveled a bunch. I know there is more
3 going in on 271. I've been to Chicago, a lot of the other
4 areas, kind of, found myself in similar -- when I see these
5 things, it seems like more and more of them. Of all the ones I
6 just listed, almost all of them that I can think of, with the
7 exception of Legacy Village, have a residential component to
8 them.

9 Are you finding, in the last, when this whole process
10 really started intensely '04, '05, '06, so are we looking in
11 the last ten years a shift from the lifestyle thing to the
12 residential component being a stronger? Because that I believe
13 that the new one going in has got a residential component
14 that's not far from here.

15 MR. RISINGER: Yeah, we are. And what we did was we
16 went back and we looked at probably a dozen case studies of
17 communities that have integrated solutions that are both
18 residential with the retail component. And one of the examples
19 that we were showing you up here was the Glen Town Center
20 development, which is in the Chicagoland area. And one of the
21 key components of that was a mix between the residential
22 component, as well as the commercial and mixed use. And what
23 they found was that, by having that mix, they could attract
24 retailers who are looking to come in and understand that there
25 are the opportunities for the residents to be part of that base
26 for their success.

27 And so I will give you the example of when you look
28 at Crocker Park, I think that if they could do it over again,
29 they might probably have more residential in that component and
30 less retail, and only in that the retail, until it, again,

1 finds its balance between sole retail buildings versus mix-used
2 buildings, it's very difficult to be successful.

3 And what we are seeing today, the trend is a
4 lifestyle trend in terms of experiential retail. So it's
5 looking at the opportunity to go to maybe that bakery or go to
6 see your dentist or go to that small bookstore. It is that
7 lifestyle component. These lifestyle centers are relied upon
8 the traffic that's coming in off the highway driving into their
9 development. What we were going back and looking at in our
10 research to say, we're looking for a long-term solution for
11 Concord Township, so one that is saying let's make it a
12 sustainable solution that works independent of bringing in all
13 the traffic driving on and through 44 just to solely stop here.
14 We're staying we think we can have a good blend of both, and
15 residential is a key component to those developments.

16 CHAIRMAN LINGENFELTER: Out of the total acres of the
17 project, how many acres would be in that, would be included in
18 that residential component?

19 MR. RISINGER: Barb, do we have that?

20 MS. DICKSON: Thirty percent.

21 CHAIRMAN LINGENFELTER: About what the percentages
22 are?

23 MR. RISINGER: Thirty percent.

24 MR. PETERSON: Thirty percent.

25 CHAIRMAN LINGENFELTER: Thirty percent?

26 MR. RISINGER: Thirty percent.

27 AUDIENCE MEMBER: What does that equal?

28 CHAIRMAN LINGENFELTER: Okay. So the project is a
29 hundred -- how many acres, a hundred --

30 MS. DICKSON: A hundred and seven.

1 MR. RISINGER: Well, the total, the total area is 107
2 acres.

3 CHAIRMAN LINGENFELTER: Okay.

4 MR. RISINGER: If you include, when you include the
5 RD-2 District that we have represented. And when you take out
6 the riparian corridor, when you look at the open land
7 requirements that we have, the streetscape requirements that we
8 have, what you start to see is that the actual buildable area
9 of the number of units is reduced to an appropriate number and
10 that's scalable for a developer to look at.

11 CHAIRMAN LINGENFELTER: So out of 107 total acres on
12 the project --

13 MS. DICKSON: Thirty-four gross.

14 CHAIRMAN LINGENFELTER: Thirty-four gross acres.

15 MS. DICKSON: Yeah.

16 CHAIRMAN LINGENFELTER: Okay. So then out of 107, 34
17 acres of that 107 --

18 MR. RISINGER: Yes.

19 CHAIRMAN LINGENFELTER: -- is, is potential for
20 housing development?

21 MR. RISINGER: For residential, yes.

22 CHAIRMAN LINGENFELTER: Okay. For mixed-use housing.

23 MR. McINTOSH: That would be the maximum?

24 MR. RISINGER: Yes.

25 MR. PETERSON: I have a question. At one of our
26 meetings we had -- This, we've had two or three meetings on
27 this now -- we talked about approximately 192 housing units in
28 the development. Using an national average of 2.2, I think, we
29 used for people per dwelling, we're looking at 400 residents,
30 roughly, 400 to 450 total.

1 MR. RISINGER: In that, in that townhome and --

2 MR. PETERSON: In the town center.

3 MR. RISINGER: -- multi-family, yes.

4 MR. PETERSON: Okay. So 400 is the number we're

5 looking at, roughly?

6 MR. MORGAN: What's the perceived or expected open

7 space percentage?

8 MR. RISINGER: Building space percentage?

9 MS. DICKSON: Seventy percent coverage, so 30 percent

10 for residential, 20 percent for commercial, just comparable to

11 the case studies.

12 CHAIRMAN LINGENFELTER: So you are saying 34 acres

13 gross for the residential component, that doesn't include any

14 -- anything taken out for roads and everything?

15 MS. DICKSON: Correct.

16 MR. RISINGER: So you would have another, you know,

17 20 to 25 percent on the roads and then whatever the additional.

18 MS. DICKSON: And 30 percent for green space.

19 MR. RISINGER: For the green space.

20 MS. DICKSON: So it knocks it down considerably to

21 how much is actually buildable.

22 MR. RISINGER: In the refinement that we went

23 through, one of the comments that was coming back to us was to

24 make sure that that, one, the graphic that you are seeing

25 certainly represents what you -- what might be a maximum case

26 scenario on density; two, making sure that there is control

27 points in terms of achieving the sustainable community design,

28 the living and walking community, that those elements aren't

29 going to disappear when somebody goes to implement the plan.

30 So that's -- So when you are seeing the 30 plus acres

1 of the gross and then the green space that's open and required,
2 you start to see that you have good control over the density of
3 this, of this area.

4 CHAIRMAN LINGENFELTER: Right. So then about, you
5 say about 25 percent, is that your position on the, on the
6 amount that would be taken out of the, out of the 30 percent?
7 So about a quarter, a quarter --

8 MS. DICKSON: There is, green space is open space and
9 then there is another buildable percentage that would be roads,
10 driveways --

11 CHAIRMAN LINGENFELTER: Right.

12 MS. DICKSON: -- sidewalks, all of those kinds of
13 things. So you are talking about at least 45 to 55, 65
14 percent, in that range, that is not buildable land area in
15 terms of, you know, it won't have a building on it that has a
16 house in it, that has either open space or the access to that
17 or public space.

18 CHAIRMAN LINGENFELTER: So out of the 30 -- So let
19 me, so I understand, so out of 34 acres that we're dedicating
20 to the housing component on this, there is approximately 50 --
21 I am going to be conservative. I think you are being a little
22 liberal. I will be a little more conservative and say 50
23 percent, okay, of that. So we are talking really, in essence,
24 17, about 17 acres of that 34 acres that will actually have
25 housing on it?

26 MS. DICKSON: Yes.

27 CHAIRMAN LINGENFELTER: Okay. Out of 107?

28 MS. DICKSON: Uh-huh.

29 CHAIRMAN LINGENFELTER: Okay. So really we're
30 talking probably, in essence, maybe 10 percent? Even though

1 it's designated as 30 percent of the total project, about 10
2 percent of that project would be dedicated to residential?

3 MR. RISINGER: On the, on the townhome and multi-
4 family, yes.

5 CHAIRMAN LINGENFELTER: On the townhome and multi-
6 family, not, not including --

7 MR. RISINGER: The commercial district.

8 CHAIRMAN LINGENFELTER: -- the commercial district if
9 there were to be --

10 MR. RISINGER: Live/work above.

11 CHAIRMAN LINGENFELTER: -- live/work above and things
12 like that.

13 MR. RISINGER: Or condos above that.

14 CHAIRMAN LINGENFELTER: Right, right, okay. Now, do
15 you have any, do you have any numbers that would indicate about
16 what we could expect from a, you know, a live/work environment
17 where there would be residential above the businesses on the --
18 inside the mixed use area?

19 MR. RISINGER: No. We, what we do require is the
20 developer responding, they must put together their market
21 study. They must come to the table with their overall economic
22 development plan for the community so they can justify what
23 they think that market is going to drive on that.

24 CHAIRMAN LINGENFELTER: So, technically, they can
25 come in and put in the, in that, in that area, they could put
26 in office space, retail space --

27 MR. RISINGER: They could put in zero residential.

28 CHAIRMAN LINGENFELTER: -- that has no residential
29 above. That's not the prerequisite.

30 MR. RISINGER: So the images that we showed you on

1 here, some of them were no residential above the retail. They
2 were actually office.

3 CHAIRMAN LINGENFELTER: Right.

4 MR. RISINGER: And it's, again, it's dependent upon
5 what they think that market is and what they think that edge is
6 in terms of, you know, maybe you might see all the buildings
7 along Auburn not have any residential.

8 CHAIRMAN LINGENFELTER: Right.

9 MR. RISINGER: And, again, in support of making sure
10 that there is an opportunity where you are picking up the
11 walkable living opportunity where if people are working there
12 and then can go downstairs and use the retail component of
13 that.

14 CHAIRMAN LINGENFELTER: Okay. Any other questions?
15 Rich? Gerry?

16 MR. MORGAN: No.

17 CHAIRMAN LINGENFELTER: Morgan? Frank?

18 MR. McINTOSH: We're good.

19 CHAIRMAN LINGENFELTER: I think we're good. Thank
20 you very much for your time. I appreciate the presentation.

21 MR. RISINGER: Thank you.

22 CHAIRMAN LINGENFELTER: Okay. The next component is
23 we would like to have --

24 MR. PATTERSON: Is this a public meeting?

25 CHAIRMAN LINGENFELTER: Pardon me?

26 MR. PATTERSON: Is this the public meeting?

27 CHAIRMAN LINGENFELTER: We haven't got to the public
28 participation part.

29 MR. PATTERSON: I beg your pardon. I thought you
30 were. I am sorry.

1 CHAIRMAN LINGENFELTER: The next component, Heather,
2 we have a, for the public record, we were given a complete list
3 of recommendations from the Lake County Planning Commission for
4 all of the amendments that we have on the public hearing agenda
5 today. Heather, I would like you to come up and, kind of, run
6 through those for everybody so we know what the Lake County
7 Planning Commission has to think about this proposal.

8 MS. FREEMAN: Okay. Mr. Chairman, just so the
9 audience knows, with any proposed zoning amendment, the process
10 that the township has to follow is, once the amendment has been
11 initiated, we send that for review and comment to the Lake
12 County Planning Commission, who then holds their own meeting on
13 that and makes recommendations to the Zoning Commission on
14 whether or not that amendment should be made, and sometimes
15 they have suggested modifications. Sometimes we incorporate
16 those, other times we don't.

17 So we've had in your packet, we just received
18 actually a letter dated July 31st from Dave Radachy, who is the
19 secretary for the Planning Commission. And I will just read it
20 in part here. "The Lake County Planning Commission took under
21 consideration the resubmission of the above-mentioned zoning
22 text changes at their regularly scheduled meeting on Tuesday,
23 July 25, 2017. The Lake County Planning Commission recommended
24 that the text amendments be made with the following changes."

25 They do have a handful of suggestions for the text
26 amendment for the creation of the new Section 21 in the
27 district amendment of establishing the location for the
28 Innovative Site Plan Development. Their first comment was that
29 the Zoning Commission needs to consider addressing
30 circumstances where sidewalks may be located outside the road

1 right-of-way. And there was concern on whether or not, if
2 there wasn't an easement there, that the public wouldn't be
3 able to use those, those sidewalks.

4 We did, we did make an adjustment to the zoning text
5 with the, with the latest version that is in front of you that
6 has already been incorporated into the change where we, we
7 understand that the setbacks were based on a 60 foot road
8 right-of-way; however, in some cases, the county or -- may
9 require a larger right-of-way, could be up to 80 feet. So by
10 adjusting the right-of-way portion and scaling back the setback
11 standards, we feel, between that and poss -- and granting
12 easements, that we have that covered. So staff doesn't feel
13 that there is any more work that we need to address as far as
14 sidewalks outside, outside of the public right-of-way, between
15 those two, expanding the width of the public right-of-way
16 and/or granting the easements will cover that.

17 The second comment that they had in their letter here
18 was to reduce the dwelling unit sizes. The letter is
19 indicating that the dwelling size proposed for townhomes is
20 larger than the minimum square footage for a two-story house in
21 the single-family district. The multi-family units are larger
22 than what is required for every type of permitted residential
23 unit except for two-story single-family homes, 1,600 versus the
24 1,500. The live/work unit is the same as a ranch single-family
25 home. And they have also indicated that, over in Painesville
26 City, the three-bedroom apartment at Cobblestone is roughly
27 1,463 square feet.

28 But as you know, this is -- we've reset this. So we
29 have seen these comments from before and we already made some
30 changes before this came back to you for this public hearing.

1 Some of these may have been overlooked by the Planning
2 Commission but we did make the modification already in the
3 text. It's already been initiated and it's in front of you.
4 As far as we're specifying that, for that, the townhome was,
5 for a two- to three-bedroom -- for the townhome that it was
6 exclusive of the two-car garage. So it's a 2,000 square foot
7 dwelling but that's inclusive of the two-car garage. So, in
8 essence, the living area is a little bit smaller.

9 And then we are not even doing the live/work units
10 anymore. Those were removed from the proposed amendments due
11 to the fact that there were some concerns already on what would
12 happen, if the business failed, to the person that was living
13 in the residential component. And so that was -- And that use
14 probably wasn't really going to be practical anyway within
15 Concord Township. If you're going to do the mix-used
16 development, it's most likely going to be a condo above and not
17 a live/work unit. So staff doesn't feel that we need to make
18 any more modifications on the minimum square footages.

19 They also had some recommendations in regards to
20 referencing an existing "swimming pool" definition and to
21 define a "tennis court"; however, we feel that we can refer to
22 the ordinary English meaning, as we do in other cases where we
23 don't necessarily have terms defined in the Zoning Resolution.

24 The next bullet point under here was to require all
25 of the residential development to adhere to the Federal Fair
26 Housing regulations. I think Eric, kind of, covered that in
27 his presentation, and I agree that I don't feel it's necessary
28 to add additional language because we expect all development to
29 comply with all local, state and federal regulations, including
30 the Fair Housing Act.

1 CHAIRMAN LINGENFELTER: Right.

2 MS. FREEMAN: The open space language in Section
3 21.07(D)(4) is ambiguous, difficult to define what is
4 "significantly professionally" means and what is considered
5 "high quality." We don't, staff doesn't feel like that we need
6 to make a change in regard to this because, depending on where
7 the open space areas are, it may differ. If it's in the
8 recreational component or the civic neighborhood, what is
9 significantly professionally designed may differ than, than an
10 open space area in over near the townhome development. That
11 might be a smaller park for residents to play in.

12 The last comment under this amendment was that the
13 green infrastructure solutions that are referenced, that we
14 should -- oh, that the green infrastructure solutions should be
15 -- should reference, instead of the phrase "planters," can be
16 part of a larger stormwater processing solution that is
17 approved. We don't define "green infrastructure" but -- and we
18 don't regulate stormwater processing solutions, but I think
19 developers and people that are reading the zoning know what a
20 stormwater solution or processing solution is and that really
21 falls on the county. So we don't feel that we are going to
22 make that change and make the definition of "green
23 infrastructure."

24 CHAIRMAN LINGENFELTER: Right.

25 MS. FREEMAN: And that's it. So that really covered
26 Amendments Number 1 and 2. They reviewed those as one, kind
27 of, creating the text and then also defining the area.

28 I do just want to, you know, bring to the attention
29 that I think it's been stated, we already have in the existing
30 Zoning Resolution text for the Innovative Site/Plan

1 Development. It's just set up in a different manner. And what
2 we are trying to do with these amendments is to further refine
3 the process of reviewing a plan that may be submitted and also
4 hone in and -- some of the other bulk district regulations.

5 So currently in the Capital District, you could
6 submit an application to the Board of Zoning Appeals and you --
7 to develop the Innovative Site/PD as a mixed-use development
8 under what's currently in the text under Section 13.36.

9 However, with the process that we're proposing to do, we would
10 like to change how that's reviewed. Rather than doing it as a
11 conditional use permit, we're creating the overlay district
12 which keeps the underlying zoning in place, the RD-2 and the
13 Capital, and this is an opportunity for a landowner or
14 developer to submit an application to the township which first
15 starts out with the Zoning Commission, and Eric, kind of,
16 walked you through what that review process would be,
17 ultimately to the Trustees, who then would have the final
18 decision on that.

19 So that is one of the significant changes as to
20 what's currently in the text and what we're proposing to do
21 with this amendment.

22 Back to the Planning Commission, they had a couple
23 suggestions as well as it related to our Amendment Number 3,
24 which relates to the Definition Section of the Zoning
25 Resolution, which is Section 5. They had suggested a couple
26 modifications to our proposed definitions for "private street"
27 and "public street" and also suggesting that we add a new
28 definition for "controlled right-of-way." We reviewed these
29 with legal counsel in the past and we didn't feel like that we
30 wanted to -- It wasn't recommended that we make the changes per

1 the Planning Commission's recommendation, so we want to stick
2 with what we have already proposed in the amendment.

3 And also as far as the "controlled right-of-way," it
4 isn't necessary to create that definition. We don't have any
5 regulations that pertain to a controlled or limited access
6 highway anyway.

7 For our Amendment Number 4 that related to
8 Section 11, Zoning Permits, the Planning Commission recommended
9 that we make all the text amendments.

10 For Amendment Number 5 which related to our changes
11 in Section 13, Conditional Uses, the Lake County Planning
12 Commission recommended that we make -- or recommended approval
13 of those amendments.

14 For our Amendment Number 6 which is in relationship
15 to Section 15 on our Residential District amendments, the Lake
16 County Planning Commission had recommended approval.

17 Our Amendment Number 7 which is in relationship to
18 Section 16, which is the R-2 PUD/RCD section of the Zoning
19 Resolution, the Lake County Planning Commission recommended
20 approval with one modification. They would like us to
21 acknowledge that condominiums can be developed in the R-2 and
22 that requiring a plat to be filed prior to a zoning permit to
23 be issued is not practical. They further explain that
24 condominiums are built first and then added to the county
25 records as a plat. They will need a zoning permit in order to
26 start construction.

27 We have looked at this and I think the text that
28 we're suggesting does account for that. I don't feel like the
29 modification is necessary because the language actually states
30 in our proposed change that any, that any required final

1 subdivision plat is recorded. Therefore, if a development is
2 not a subdivision but rather a condominium-type development
3 that doesn't require a subdivision plat, then we -- then the
4 subdivision plat doesn't have to be filed. We can go ahead and
5 issue the zoning permit as long as it complies and then the
6 condominium plat is filed after. So we are talking about
7 subdivision plat versus a condominium plat. They're not the
8 same, as you know.

9 And then our Amendment Number 8 which is in
10 relationship to Section 22, which is our Commercial and
11 Industrial Section, the Lake County Planning Commission
12 recommended that we make the text amendment.

13 Amendment Number 9, which is our -- in relationship
14 to Section 29, which is our existing parking section, they had
15 a couple comments on here. They state that the Lake County
16 Planning Commission is recommending that we allow multiple
17 small recreational vehicles to be displayed for sale when the
18 multiple recreational vehicles are in on the same trailer. And
19 I will skip down the second paragraph here that kind of relates
20 to that. It says that it is noted that the, that the
21 recreational vehicle included "jet ski" per the new definition.
22 If you limit the number of recreational vehicles allowed to be
23 displayed and sold to one, someone cannot display the two jets
24 they want to sell.

25 We didn't change how we were regulating selling
26 recreational vehicles. We made one modification to the
27 definition. That wasn't a standard that this Board, we were
28 looking at at the time. So we are not going to make changes to
29 the number of recreational vehicles folks can sell. That just
30 wasn't a topic that we were proposing an amendment on, so I am

1 not recommending that we do that.

2 Also, they included under the same Section 29 that
3 just to make sure that the regulations stay consistent on how
4 we reference the "recreational vehicles" within the Section 5,
5 15 and 29, and we did double check and we were being consistent
6 with that.

7 And then also within Section 29, staff mentioned that
8 the -- the Planning Commission staff had mentioned that the new
9 Section 15 refers to "garages" while the section refers to
10 "enclosed parking areas." The terms should be the same. I
11 think this was a carryover from when they originally looked at
12 the amendments. We went ahead and made that change back to
13 make sure that we were referring to "unenclosed parking areas"
14 rather than "garage," so we eliminated all the references to
15 "garage" and kept with the "unenclosed parking areas."

16 Also in relationship to our Amendment Number --
17 Amendment Number 10, Section 34, the Lake County Planning
18 Commission recommended that the amendment be made.

19 Our Amendment Number 11, which is in relationship,
20 relationship to Section 36, the Lake County Planning Commission
21 recommended that the text amendment be made.

22 Amendment Number 12, which is Section 37, Lake County
23 Planning Commission recommended that the text amendment be
24 made.

25 Finally, Amendment Number 13, which is in
26 relationship to Section 38, Lake County Planning Commission
27 recommended that the text amendment be made.

28 So I don't know if you guys have any more questions
29 for me on that or any further discussion about any of the
30 recommendations.

1 MR. PETERSON: One question, Heather.

2 MS. FREEMAN: Sure.

3 MR. PETERSON: When we talked on the size of our
4 proposed housing units that we would have in our amendments,
5 those are minimums. So a developer would come in, they could
6 build any size they want as long as there was, at least, that
7 size. They would build bigger units, correct?

8 MS. FREEMAN: Correct.

9 MR. PETERSON: Right.

10 MS. FREEMAN: Yeah, minimu.

11 MR. PETERSON: So this is just a minimum.

12 MS. FREEMAN: Correct.

13 MR. PETERSON: Okay.

14 CHAIRMAN LINGENFELTER: Any other comments,
15 gentlemen? Frank?

16 MR. SCHINDLER: No.

17 CHAIRMAN LINGENFELTER: Morgan? Gerry?

18 MR. MORGAN: No.

19 CHAIRMAN LINGENFELTER: Thank you, Heather.

20 MS. FREEMAN: All right. Sure.

21 CHAIRMAN LINGENFELTER: Okay. Now we are going to
22 open up this public hearing to the audience portion. I would
23 like to establish a few rules for everyone to adhere to.
24 Anyone wishing to speak will provide their name and address for
25 the public record before they speak. You can say you're in
26 favor or opposed to the amendment and reasons why. If you have
27 a specific question, those questions are to be directed to the
28 Board, not to other members of the audience and not to the
29 develop -- not to the consultants. There will be no questions
30 directed to anybody else. There will be no cross-talk and

1 chatter back and forth within the audience. I expect we keep
2 things in a very professional level.

3 All comments will be limited to three minutes. So
4 you will have three minutes to come up and state your position
5 and then you can have a seat. There will be no cheering or
6 clapping, and there will be no course or unprofessional
7 language tolerated. Okay?

8 Once everyone in the Town Hall has had a chance to
9 speak their piece, we will have a five-minute recess and, if
10 there is an overflow in the other facility across the parking
11 lot at the Fire Hall, we will ask that the people that are here
12 get up and leave and go over to that location where you can
13 watch the rest of the meeting to allow those people that wish
14 to speak to come over here. Okay? That's just off of
15 deference to your fellow citizens that may want to speak that
16 can't come in here right now because we are at capacity. So
17 when everybody is done here talking, we are going to take a
18 five-minute recess and then we'll allow those people to come
19 over and take that place.

20 There will be another public hearing on this, so keep
21 that in mind. This is just the first phase. There will be a
22 second public hearing with the Trustees, so you will have ample
23 opportunity to take and digest everything that's being covered
24 this evening and take a look at it and then you will have an
25 opportunity to, again, address the Trustees at their scheduled
26 public hearing.

27 I understand this is an emotional issue for a lot of
28 people but we want to try to keep this at a, at a reasonable
29 level. Obviously, there is a lot of people here. People have
30 some things they want to say. If somebody comes up here and

1 states a position that you've already -- you were planning on
2 saying, our preference would be that you just come up and say,
3 "I agree with the previous person that spoke." There is no
4 reason to rehash the same issues over and over again, so we
5 will do that in deference to time.

6 Okay. So with that said, on my right -- or on my
7 left, your right, I would like to start with Row 1. Anybody
8 that would like to come up and speak in favor of the proposed
9 amendment. None in Row 1? Anybody in Row 2 that would like to
10 speak in favor?

11 MR. PATTERSON: I am already hear, Andy. I'm in
12 Row 2.

13 CHAIRMAN LINGENFELTER: Right. Are you speaking in
14 favor or are you speak -- are you opposed?

15 MR. PATTERSON: I just want to bring some facts --

16 CHAIRMAN LINGENFELTER: Okay.

17 MR. PATTERSON: -- forward. I'm not really trying to
18 say yes or no.

19 CHAIRMAN LINGENFELTER: Are you, are you in favor or
20 are you opposed?

21 MR. PATTERSON: I just want to bring some facts
22 forward.

23 CHAIRMAN LINGENFELTER: Is there anybody else in
24 Row 2 that would like to speak in favor of the amendment?
25 Is there anybody in Row 3 that would like to speak in favor?
26 Anybody in Row 4 that would like to speak in favor? Anybody in
27 Row 5 that would like to speak in favor? Anybody in Row 6?
28 Anybody standing up against the back wall? Nobody wants to
29 speak in favor.

30 Okay. Now on my right, your left, anybody in the

1 first row that would like to speak in favor? Second --

2 MR. O'LEARY: I will.

3 CHAIRMAN LINGENFELTER: Okay. Sir, I would like you
4 to state your name and your address on the record.

5 MR. O'LEARY: Sure. My name is James O'Leary. I
6 live at 6349 Ledge Lake Court here in Concord Township.

7 CHAIRMAN LINGENFELTER: Okay.

8 MR. O'LEARY: I have had the pleasure of being
9 chairman of the Joint Economic Development District Board or
10 the last nine years. I've watched the Board go through a lot
11 of planning and to get to the point where we are today. I am
12 very proud of what we have been able to accomplish. It's not
13 going to happen overnight but we have to do it with some kind
14 of a plan, and I think that this is a good first step to give
15 us the zoning tools that we need to be able to develop this in
16 a controlled manner. Thank you very much.

17 CHAIRMAN LINGENFELTER: Thank you.

18 Anybody else in Row 1? Anybody in Row 2 that would
19 like to speak in favor? Ma'am, come on up.

20 MS. HEMPHILL: Claudia Hemphill, 12367 Concord-
21 Hambden Road. I have to read. I don't speak well from --

22 CHAIRMAN LINGENFELTER: Sure.

23 MS. HEMPHILL: As a resident since 1960, I am totally
24 in favor of these amendments. The residents, back in the '60s
25 and since then, have not been pleased when all the current
26 development began. Our bucolic -- which was a little
27 extreme -- friendly township changed drastically. The large
28 tracks of land went to what was then considered high-density
29 housing. The people who have lived in and do currently live in
30 Quail like what they have. Other developments enjoy their

1 environments. All of this development incurred in the tracts
2 of land that made the township more rural in nature. The semi
3 rural -- which is not an accepted zoning term but it works
4 well -- nature of the township is under the homes of many of
5 our residents.

6 I see people all over Concord happy with their
7 lifestyle. Wonderful, I think that's great. Different strokes
8 for different folks. In retrospect, there is room for all of
9 us to live in an area of Concord that appeals to the lifestyle
10 we like. If the residents who are opposed to the proposed
11 amendments took an hour or so and drove around the entire
12 township to see all the different kinds of lifestyle, they
13 would see a significant number of different options, from
14 living on 50-plus acres to living in an apartment.

15 The 30-somethings -- I don't have correct generation
16 names. The 30-somethings don't want the big houses and
17 developments that we now have. My kids don't want my big
18 house, that's fine. They want to be in the center of
19 restaurants and activities and want to walk or bike. Many of
20 the seniors in the next several years will downsize and might
21 choose to stay in Concord by being close to restaurants and
22 being able to walk to.

23 Do not take away the ability to have another area
24 different from yours for upcoming generations, as well as the
25 boomers as we choose a less cumbersome lifestyle. The Trustees
26 are doing what they should do, planning 20 to 30 years out.
27 What will the coming generations want? If the Trustees don't
28 plan to accommodate different lifestyles, like they did for
29 many of the current residents 30 years ago, people will leave
30 the township and younger generations will look for places that

1 they like with the townhouses and what we just discussed.
2 Twenty to thirty years from now, many of us will be in small
3 ranch houses, assisted living or elsewhere. Thank you very
4 much.

5 CHAIRMAN LINGENFELTER: Boy, that was perfect. Thank
6 you. Right on the money, right to the, right to the second.
7 Very good.

8 Second row, anybody else who would like to speak in
9 favor? Third row, anybody that would like to speak in favor?
10 Come on up, state your name, address for the record, please.

11 MS. JARRELL: Chris Jarrell, 10885 Bradley Court here
12 in Concord. I've been here for 19 years. I wasn't planning on
13 speaking. I want you all to know that I'm on the Board of
14 Zoning Appeals here in Concord. I am also a realtor in both
15 the residential and commercial segments of the real estate
16 industry.

17 I think that this planning process has been in place
18 since '04, '06. We've all had opportunities to come in and
19 talk about it. I guess as I am sitting here and I was over at
20 the Q and A section -- session and I come here and I see that
21 there is a lot of controversy going on. I've been hearing
22 about it. And I liken it to the people that come before the
23 BZA that buy a property and they don't do research on the
24 property and they come in and they, maybe they build something
25 that didn't jive with our setback requirements or something
26 else and they are asking for forgiveness.

27 AUDIENCE MEMBER: Aren't you supposed to talk to
28 them?

29 CHAIRMAN LINGENFELTER: Chris, Chris.

30 MS. JARRELL: I'm sorry.

1 CHAIRMAN LINGENFELTER: Excuse me, sir. Chris,
2 please address your comments to the Board.

3 MS. JARRELL: I apologize, Andy.

4 CHAIRMAN LINGENFELTER: All right.

5 MS. JARRELL: So I liken it to that, that somebody
6 that has bought a property doesn't do their due diligence and
7 they are coming in and they're asking for forgiveness, they're
8 asking for a variance and what have you.

9 Here in Concord Township, for a more global
10 standpoint, we've had these plans that have been in the works
11 for years and years and there have been public hearings. I've
12 been, I think I've been on the BZA since '09. I've been
13 involved with the comprehensive planning process. I've been at
14 all these meetings where the public has been invited. You all
15 live in Concord. You have opportunities to come and state your
16 opinions about what is transpiring here, what I call progress
17 and now, all of a sudden, everything is crazy.

18 And I would just like to advocate for the project
19 because I know what the trends are in real estate. Everybody
20 likes neighborhoods. We have Willoughby right here in our own
21 back yard and we have Crocker Park with things that Morgan has
22 mentioned, Crocker Park and Legacy Village and all these
23 developments, even like Willoughby, which is already there
24 which illustrates that they have retail, we have office.

25 Saturday morning -- and I will cut this off in a
26 minute but I just want to be a little anecdotal here. Saturday
27 morning I went to Willoughby, I went to a yoga class, I got out
28 of the yoga class and there was a farmer's market going on and
29 there is people having coffee on the streets, and that's what
30 people want.

1 Now, it's over there where it's kind of on the
2 periphery of Concord. It's not going to be, you know,
3 hijacking our own neighborhoods. This is what the trends are.
4 They're not shopping malls. This is outdoor shopping and
5 commercial establishments that will make our township a better
6 place to live.

7 CHAIRMAN LINGENFELTER: Thank you, Chris. Thank you.

8 MS. JARRELL: And I am done. Thank you, Andy, for
9 cutting me off.

10 CHAIRMAN LINGENFELTER: Okay. Again, I will remind
11 everybody that we're to address ourselves to the Board just to
12 make sure. We don't want to get into a banter back and forth
13 with the audience. We want to try to get through this as
14 quickly as possible.

15 Anybody else in the third row that would like to
16 speak in favor? Anybody in the fourth row in favor? Anybody
17 in the last row that would like to speak in favor? Ma'am, come
18 on up, state your name and address for the record, please.

19 MS. PLESNICAR: My name is Susan Plesnicar and I live
20 at 7915 Auburn Road. I've lived in Concord for 27 years on
21 Auburn Road, and I have seen Auburn Road change dramastically
22 -- dramatically, whatever. I am nervous because I am not used
23 to doing public speaking.

24 CHAIRMAN LINGENFELTER: That's okay. You're good.

25 MS. PLESNICAR: But for the last five or seven, eight
26 years, this is not a rural area for us. My kids grew up there.
27 They rode their dirt bikes up and down the driveways and had a
28 good ole time. Now I have a nursing home right across the
29 street from me. I have Ranpak. I hear sirens 24/7 going up an
30 down my driveway -- my street. Even the speed limit's been

1 reduced to 35. So I am in favor for it, yes. It is out of the
2 area. It is an area perfect for that, the new development.
3 And that's all I have to say.

4 CHAIRMAN LINGENFELTER: Thank you very much.

5 MS. PLESNICAR: Thank you.

6 CHAIRMAN LINGENFELTER: Anybody else that would like
7 to speak in favor of the proposed amendments, number one?
8 Okay. Now we will go back to my left, your right. First row,
9 anybody that would like to speak that's opposed? Come up,
10 state your name and address for the record, please.

11 MR. MONROE: Good evening, ladies and gentlemen. My
12 name is John Monroe. I am with the law firm of Mansour, Gavin,
13 L.P.A. My address is 1001 Lakeside Avenue, Suite 1400,
14 Cleveland, Ohio. I represent Concord Real Estate Investments,
15 LLC. Concord Real Estate Investments, LLC, owns the majority
16 of the 107 acres that would be rezoned in this overlay
17 district. I am also joined here tonight with -- by Bill West.
18 He is with the Hanna Commercial Real Estate firm. He is the
19 broker for the remaining acreage in the park. And I am also
20 joined by Chris Hondlik, up against the wall there. He is also
21 with the Hanna firm that is helping market the property on
22 behalf of the property owner.

23 The property owner is opposed to this rezoning,
24 specifically Amendments 1 and 2. The current zoning districts,
25 you know, there is two here, the Capital District and also the
26 RD-2 District, which allows for light industrial uses,
27 research-and-development-type uses. And we feel that this
28 proposed zoning overlay would have a chilling effect on the
29 sale of the remaining lands to the north, up Discovery where
30 the two existing facilities are located. De Nora Tech has a

1 beautiful research and development facility, high paying jobs,
2 jobs of tomorrow. There is also Cinetic which is at the end of
3 the line all the way up against Route 90.

4 CHAIRMAN LINGENFELTER: Right.

5 MR. MONROE: You will remember both of these
6 properties were developed by the Swagelok Company. What we're
7 concerned about is, if this front part of the area is developed
8 and retail and housing, that there will be a conflict with the
9 sale of the remaining property toward the back in terms of
10 traffic, noise, light, truck traffic, what have you.

11 Secondly, we feel that these proposed amendments
12 conflict with the Declaration of Covenants and Restrictions
13 that was placed on the park. And when I talk about "the park,"
14 I mean the 250 some acres that comprise this whole development.
15 I wrote those declarations and they have restrictions on gross
16 floor area, lot coverage, improvement placement, minimum lot
17 size, architectural review. And I can tell you that those
18 declarations and covenants and restrictions were drafted for a
19 light industrial park. So as long as this property owner has a
20 majority interest in the park, they are going to have a say
21 about what happens. So the zoning is one thing, private
22 restrictions are another. We believe this proposed rezoning
23 will conflict with the declaration.

24 Finally, we just --

25 CHAIRMAN LINGENFELTER: Now, excuse me just for a
26 second.

27 MR. MONROE: Yes.

28 CHAIRMAN LINGENFELTER: Now, this is not a rezoning.

29 MR. MONROE: I understand that but --

30 CHAIRMAN LINGENFELTER: So that's why I want to make

1 sure that we're clear because that's an important term.

2 MR. MONROE: And, legally, I'm not -- Legally, I am
3 not sure I agree with you.

4 CHAIRMAN LINGENFELTER: Okay, and that's fine.

5 MR. MONROE: You are treating it like a rezoning.
6 You are having a public hearing.

7 CHAIRMAN LINGENFELTER: Right.

8 MR. MONROE: You are having -- so you are going
9 through all the hoops as if it were a rezoning, and you are
10 potentially adopting an overlay district which adds a bunch of
11 uses that are not currently allowed.

12 CHAIRMAN LINGENFELTER: But it doesn't, it does not
13 take away the existing uses that are, that are available,
14 correct?

15 MR. MONROE: I agree with that. I agree with that.

16 CHAIRMAN LINGENFELTER: So if, even if this overlay
17 were to be adopted, okay, I am just trying to understand
18 because I am not a lawyer.

19 MR. MONROE: Yeah.

20 CHAIRMAN LINGENFELTER: I am trying to understand.
21 So if this overlay is adopted and you want to use the property
22 for what it's zoned for now, you still have the ability to do
23 that. Nothing is being, nothing is being eliminated from your
24 use; is that correct?

25 MR. MONROE: That's correct. And, obviously, we have
26 nonconforming rights, which is a whole other can of worms.

27 CHAIRMAN LINGENFELTER: Right, sure.

28 MR. MONROE: And Bill West can come up and tell you
29 that when he is trying to market this property and particularly
30 the property in the back, if there is houses up front, it's

1 harder to sell the property in the back to industrial, light
2 industrial users if there is houses up front.

3 Now, we would say, yes, there are two assisted living
4 facilities toward the front but they're much different uses and
5 I think we all know this. Generally, people in those types of
6 facilities don't go outside a whole lot and their windows are
7 typically shut. So it's a whole different animal that you are
8 looking at tonight where you have single-family homes, you will
9 have recreation facilities, I guess. I am not sure who is
10 going to pay for that but you are going to have outdoor uses
11 with people interacting.

12 So Bill can certainly testify -- he's got 40 years of
13 experience in the industry -- that -- and Chris has over 25 --
14 that this is going to make it more difficult, even though it's
15 an overlay, to sell what's at the back.

16 CHAIRMAN LINGENFELTER: Thank you.

17 MR. MONROE: Just one final thing. We did meet with
18 officials, with Concord officials. We've been very clear on
19 our position. And this ties into one question you had about,
20 can we just limit the housing? We are not opposed if the
21 township wants to re -- apply a zoning overlay district to its
22 parcel, have at it. We have no opposition. They own seven
23 acres. Do what they gotta do. What we are concerned about is
24 what we have left and the ability to sell that in large tracks.

25 And they've been a very, over the years, been a very
26 conscientious member of the community. They've gone with high
27 quality developers to sell parcels to and have made significant
28 investments. That road that was installed, both Capital
29 Parkway and Discovery and the extension road, were built to
30 light industrial standards with -- These roads will last

1 forever. There was also significant infrastructure built for
2 stormwater and water facilities that will benefit someone at
3 some point.

4 But we would ask that, as long as our client owns the
5 property that they have, that it remain as it is and allow them
6 to continue to market the property as it is.

7 CHAIRMAN LINGENFELTER: Thank you.

8 MR. MONROE: Thank you.

9 CHAIRMAN LINGENFELTER: Appreciate your comments.

10 MR. PETERSON: May I make a comment to that?

11 CHAIRMAN LINGENFELTER: Sure.

12 MR. PETERSON: Mr. Monroe.

13 MR. MONROE: Yeah.

14 MR. PETERSON: I work for a light manufacturing
15 company that built a plant in Highlight Heights on well less
16 than a 100 acres and we had 2,000 cars coming and going every
17 day on three shifts. So under your proposal, if we were to do
18 that and do light manufacturing, it's possible we could have
19 2,000 cars coming in and going everyday on three shifts.

20 MR. MONROE: It could be.

21 MR. PETERSON: Okay. I just wanted --

22 MR. MONROE: It's what permitted by the zoning, yes.

23 MR. PETERSON: I would like to make that clear,
24 that's an alternative, 2,000 cars coming everyday.

25 MR. MONROE: I don't know what the size is of the
26 facility your at.

27 CHAIRMAN LINGENFELTER: All right. Thank you, sir.

28 Okay, any -- Folks, quiet down, please. Anybody else
29 in Row 1 that would like to speak opposed? Okay. Row 2, Bob,
30 I think it's your turn. I think it's your turn.

1 MR. PATTERSON: I had all this time. I am Bob
2 Patterson, 10940 Girdled Road, Concord. I had all this time to
3 just to soak everything in. I think, so far, it's a great
4 meeting. I do think that the Zoning Commission tonight is at a
5 crossroads of a very important decision to make. I would like
6 to step back for a minute and address the survey done by
7 Risinger. Is your name Risinger?

8 CHAIRMAN LINGENFELTER: Risinger.

9 MR. PATTERSON: Risinger. My wife and I are from
10 Chicago. We grow up there. They cited several examples in
11 Chicago which were very successful, and I agree. I don't
12 disagree. However, there's 70 million people in that area in
13 Chicago. We don't have 70 million people here, slight problem.

14 They cited the 2004 Comprehensive Plan. The most
15 important section of the plan wasn't mentioned, the eight
16 percent commercial that we're talking about in the JEDD was to
17 remain sacred and not be developed for residential. That's in
18 the plan. They never mentioned it.

19 And throughout their whole presentation, they never
20 mentioned that retail is dying. Twenty-five percent of retail
21 is going to die in this country this year. Sears has left.
22 Maggiano's, a high-end restaurant, is leaving Beachwood. Are
23 we going crazy here? You have a decision and this is why it's
24 so important. Our Trustees have already spent a million
25 dollars of our tax dollars on buying seven acres for their
26 vision of Concord, what do you know, this thing that was
27 presented. If we go down this path and it doesn't work, we
28 don't get the retail, we don't get the high-end restaurants, we
29 are going to look pretty stupid.

30 I know that the developers have to put their money up

1 before anything and say, "I'm going put this in. I am going to
2 put these stores in. I am going to put the residential in,"
3 but they're not going to do that. I don't really think they're
4 going to do it.

5 Here is what my proposal is. We're sitting on a cash
6 cow. You are getting \$600,000 a year from the JEDD. You are
7 going to get another million in a few short years, probably
8 less than a year. That's a million bucks flowing into our
9 township that has no incumbrance on it at this point except to
10 finish paying for the road. Think of what we can do with a
11 million dollars a year in our township paving roads, getting
12 everybody off everybody's back and not worrying about this
13 vision?

14 How many people here care if you get one more person
15 in Concord? We've got plenty of residential areas in Concord
16 that are flourishing. People are moving here. We're up 15
17 percent. We're increased 15 percent from the 2015 plan. Hey,
18 we're in, we're in, we're in heaven. This is heaven. Why ruin
19 it? Why put high-density -- You know, it's not a bad word. It
20 did work in Winnetka, in the Naval Air Base. Big deal, that
21 doesn't mean we have to do it.

22 You guys have the ability to go back to the Trustees
23 tonight or tomorrow and say, "Let's rethink this." And if they
24 did a good survey, why didn't they get the people involved? A
25 lot of -- There was some criticism at the Q and A, no one
26 attended the public meetings. That's because we trusted our
27 Trustees. We thought they were doing -- I met with them for
28 ten years on and off. They never once mentioned high-density
29 residential, not once.

30 CHAIRMAN LINGENFELTER: Okay, Bob.

1 MR. PATTERSON: I am getting kind of excited.

2 CHAIRMAN LINGENFELTER: Understood.

3 MR. PATTERSON: But what I am trying to say is it
4 would be a good idea to say, "Stop. Let's get the people, you
5 know -- Let's let everybody know what's going on now." The
6 Grapevine came out a week before your meeting and it wasn't in
7 there. Remember somebody asked you that, you know? You had no
8 answer. Why wasn't it in there? Everybody knows now and every
9 -- And these are good people. Concordians are good people.
10 They want the best for the township. These guys might be
11 right. I don't know. But it sure hasn't been noodled around
12 enough, you know.

13 My only recommendation is you stop it, please have
14 everybody rethink it, and think of that million dollars a year
15 plus coming in in another year.

16 CHAIRMAN LINGENFELTER: Thanks, Bob.

17 MR. PATTERSON: Thank you very much.

18 CHAIRMAN LINGENFELTER: Appreciate it.

19 All right. Anybody --

20 MR. PATTERSON: We're going to watch the rest on TV.
21 It's hot in here, I hate to tell you.

22 MS. PATTERSON: I'm Sandra Patterson, 10940 Girdled
23 Road, and I agree with everything he said. I am definitely
24 against it.

25 CHAIRMAN LINGENFELTER: Okay. Thank you very much.

26 MR. PATTERSON: Thank you very much.

27 CHAIRMAN LINGENFELTER: Yep, thanks.

28 Okay. Anybody else in Row 2 that would like to speak
29 in opposition? Come on, sir, state your name and your address,
30 please.

1 MR. DAVIS: Hi, my name is Dan Davis. I am at
2 11378 South Forest in Quail Hollow. My wife and I moved here
3 three years ago. We love it here. We came here for a very
4 specific reason and, in three years, we've had a tremendous
5 disappointment that's come down on us. It's a financial one.
6 And I think that the question I would like to pose to the Board
7 and anyone else that can answer it over time is about the taxes
8 that will be levied against us to support this. Our taxes have
9 gone up 40 percent in three years, our property taxes. It's
10 getting to the point where, if it continues to do that, I think
11 I have to look at moving to somewhere else because I didn't
12 want to come to a place where I had to put my single- or fixed-
13 income lifestyle at risk because of spiraling taxes, levy after
14 levy taking more and more and more from each homeowner to
15 support things.

16 Quite frankly, I believe this is going to hit us all
17 in the pocket somewhere and I feel it's incumbent upon all of
18 you and the Trustees and our consultants to tell us, what's
19 this going to cost us as homeowners who could care less about
20 whether this comes in or not or maybe really care? But the
21 point is, we should know what it's going to do to us. Thank
22 you.

23 CHAIRMAN LINGENFELTER: Thank you very much.

24 Anybody else in the second row? Okay, move to third
25 row. Anybody in the third row that would like to speak in
26 opposition? Sir, please state your name and address for the
27 record.

28 MR. BILINSKY: My name is Walter Bilinsky. I reside
29 at 7960 Augusta Lane, and I have some concerns regarding
30 firefighting on a structure that's four stories high. Do we

1 have fire trucks in Concord that can go up four stories?
2 MR. PETERSON: Yes.
3 MR. BILINSKY: We do. How many?
4 MR. PETERSON: I don't know the number but we cleared
5 this with the Fire Chief.
6 MR. BILINSKY: Yeah. He can handle that?
7 MR. PETERSON: He's comfortable with it.
8 MR. BILINSKY: Okay, good. One of my concerns is
9 that somewhere down the line, in order to fill these
10 properties, we are going to start offering tax abatement and
11 then there is no advantage to increasing our tax base. I see
12 it happening in other cities. I hope that we don't revert to
13 that here.
14 I, for one, like low-density housing, no sidewalks,
15 no street lights and less traffic, and that's why I moved out
16 here into that neighborhood. They said that they were going to
17 make a parking garage for the town center area. That's going
18 to be underground and accommodate how many cars?
19 CHAIRMAN LINGENFELTER: Heather, do you recall?
20 MR. PETERSON: It's just a concept, yeah.
21 MR. BILINSKY: It's a concept. Well, before you
22 approve something, I think you ought to know.
23 MR. PETERSON: Well, we don't know until we get a
24 proposal.
25 CHAIRMAN LINGENFELTER: Right.
26 MR. BILINSKY: And then it's not up there anymore but
27 there was a plot map and it showed all these apartments on the
28 left side and it, kind of, downplayed the parking situation
29 there. Now, most households have two cars. And the figure you
30 were coming up with, was it 18 or something like that, 18 units

1 per acre times 17 acres. Was that just for town center or was
2 that for the housing, also? I don't think that included the
3 apartment looking buildings.

4 Up there, you know what they look like to me? They
5 look like what's on the border of Mentor and Painesville on
6 Diamond Center. That's what that looked like over there, just
7 the housing.

8 MR. PETERSON: Just a concept, just a concept. We
9 don't have a plan. The developer will develop the plan.

10 MR. BILINSKY: Yeah. But once, once you approve the
11 zoning, then --

12 MR. PETERSON: Yeah, but we have to see the plan to
13 approve it. Again, we are not going to build barracks.

14 MR. MORGAN: But that's why we, that's why we've
15 created the zoning and limited the development of housing.

16 MR. SCHINDLER: This gives us the control.

17 MR. MORGAN: It's less than 30. It's 30 percent or
18 less of the gross acreage of the development for housing. That
19 includes the townhomes and the multi-family. And then multi-
20 family would be, would be limited to 10 percent of that 30
21 percent, so a total of 3 percent. If you do the calculations
22 and it builds out to complete buildout, that would be -- Let's
23 see if I have my numbers right because I did that -- a total of
24 64 multi-family units.

25 MR. PETERSON: Which could be condos.

26 MR. MORGAN: If it was a complete buildout in that,
27 in that residential area.

28 MR. BILINSKY: I live on one acre. I can't even
29 imagine sharing that with 17 other families.

30 MR. MORGAN: Well, that's, that's --

1 MR. BILINSKY: Thank you for your time.

2 MR. MORGAN: Well, that's you. There are people who
3 do.

4 CHAIRMAN LINGENFELTER: Thank you, sir. Appreciate
5 your time and I appreciate your comments.

6 Anybody else in the third row that would like to
7 speak. I will move now to the fourth row. Ma'am, speak your,
8 speak your name and address for the record, please.

9 MS. LoCONTI: Lisa LoConti, 8140 Mount Royal Drive.
10 I think somebody next is going to speak to that last fact that
11 you just gave. But, first of all, I have a question. And I
12 know I am not allowed to address the gallery but Isinger -- or
13 Risinger, Eric Risinger Company from Chicago, I mean, like,
14 right off the bat when I saw that, I thought to myself, are we
15 really going to even entertain letting people from Chicago -- I
16 came in here unscripted because I had something to say but then
17 it all changed once I heard. I mean, literally, Chicago,
18 Illinois, we want them to come in and build out Concord
19 Township. Really?

20 You know, and then he says "we finally get a walkable
21 neighborhood." I don't think there is any "we" when he lives
22 in Chicago.

23 And then the market wants this. And I am not sure
24 what that market is because the survey said in 2004, attached
25 to the 2004 Comprehensive Plan, that survey did not want it.
26 And only 6,000 people were polled and 30.3 percent responded,
27 which is an astronomical number when we only expect like 10
28 percent to respond. And of that 30.3 percent, overwhelmingly
29 they said no to this. So --

30 And I was just curious. Maybe you can answer. I can

1 address Mr. Risinger. He mentioned Glen Town Center. Is that
2 the name of the place in Chicago, Glen Town Center, they built
3 out? Are we allowed to ask? Glen Town Center?

4 CHAIRMAN LINGENFELTER: Something like that.

5 MS. LoCONTI: Okay. Because Glen Town Center in
6 Chicago that I know of that I looked up, Crain's Chicago
7 Business wrote an article and published an article on May 21st
8 of 2014 that that development was repossessed by the lender and
9 sold for a fraction of the cost that was owed to the bank. So,
10 I mean, I will look that up and make sure that we have the
11 right information, but he cited it as something that we're
12 trying to be and that's what happened in Chicago. That was
13 interesting to me. I just found that out while I was sitting
14 right there.

15 So we have lots of fancy words like "live, work,
16 play," but anybody that lives in Willoughby -- Do you guys
17 ever, like, drive past, you know, downtown Willoughby? We were
18 talking about downtown Willoughby. There is that, thought it
19 was going to be cool new place because, if you look at the
20 poster, the people on the poster look really cool and it says
21 "live, work, play" and they're, like, drinking wine and it
22 looks like you want to hang out with them and it's in front of
23 Riverwalk. I think it's called Riverwalk Apartments, which are
24 dumps. My girlfriend is trying like crazy to get out of there
25 because the walls are paper thin. I mean, it is an absolute
26 disaster. There is no live, work, play there but, again, it
27 was sold exactly like this.

28 So I just wanted to read one thing and then I'm done.
29 I wanted to let you know that I found on Chris Galloway's
30 Facebook page something that caught my eye. Maybe you guys

1 read it, too. It was shortly after the *News Herald* ran the
2 Town Center article on the weekend of July 1st. Chris Galloway
3 posted the same article to his Facebook page. That post is
4 gone now but, luckily, I took a picture of it. And it said Jim
5 Trakas, who is councilman-at-large for Independence, said the
6 following as a warning to all of the Trustees and personally to
7 Chris. He said, "Be careful. So many developers expect the
8 taxpayers to subsidize their investment. Independence found
9 this out. So many want to use TIFs," public tax dollars, "to
10 pay for their investment and land donations, essentially no
11 risk and all profit. I urge you, set parameters about public
12 participation before you go out for proposals. We did not and
13 found out that someone was willing to build a mixed-use project
14 and profit from it but put not -- but not put much of any cash
15 on the barrel head to actually invest in the project. I am
16 urging caution." So, again, this post has since been removed.
17 I was really, really alarmed by that comment by Mr. Trakas.

18 CHAIRMAN LINGENFELTER: Okay. Thank, thank you very
19 much.

20 MS. LoCONTI: Okay. Am I up? Is my three minutes
21 up?

22 CHAIRMAN LINGENFELTER: Yes, ma'am.

23 MS. LoCONTI: Okay. So just for the record, I just
24 want to say that I am very against any residential zoning on
25 this very precious plot of land that's in my back yard. And if
26 anybody wants more information, they can go to
27 DefendConcord.com.

28 CHAIRMAN LINGENFELTER: Thank you.

29 Okay. Anybody else in the fourth row that would like
30 to come up and talk? Anybody in the fifth row? Anybody in the

1 fifth row that would like to come up and talk?

2 MR. CARTER: Bob Carter, 11464 Somerset Trail here in
3 Concord. I am going to be short and sweet. I would like my
4 Concord to look more like that picture than the ones I saw up
5 here an hour and a half ago. Thank you.

6 CHAIRMAN LINGENFELTER: Okay. Thank you very much.
7 Anybody else in that row that would like to come up
8 and speak? Yes, sir, please state your name and address for
9 the record.

10 MR. MIOCIC: My name is Dario Miocic, 6993 Sturbridge
11 Drive here in Concord. My wife and I moved here in 2011 and
12 plan on starting a family. Part of the appeal to moving to
13 Concord was the rural environment. She grew up in Wickliffe,
14 which is quite a busy town, and I grew up in Mentor, which is
15 something that we both wanted to get away from.

16 I'd just like to say for the record that I think it's
17 very important that, before we make all these decisions, that
18 if we take into consideration the pace of people that are
19 moving into Concord every year, that we need to redo a survey
20 and we need to take everybody's opinion into fact. I think,
21 you know, as I moved in in 2011, three weeks ago is when I
22 really noticed all of this. I tried to read Concord's website
23 page often and try to see what's going on in the community. We
24 get the Grapevine, we read it. And it's shocking to me that
25 that is being overlooked and not being reconsidered with all
26 the new population that we do have in Concord. So I am just
27 stating for the record that I am against the zoning of housing
28 or residential in the new district.

29 CHAIRMAN LINGENFELTER: Thank you very much.

30 MR. MIOCIC: Of course.

1 CHAIRMAN LINGENFELTER: Appreciate your comments.
2 Anybody else in that row that would like to have
3 anything to say in opposition? Last row seated, anybody that
4 would like to have anything to say in opposition? Sir, please
5 come up state your name and address for the record, please.

6 MR. DERENZO: Good evening. My name is Dennis
7 Derenzo. I'm at 10912 Stonewycke Drive here in Concord.

8 CHAIRMAN LINGENFELTER: I am sorry. What was your
9 name again, Dennis what?

10 MR. DERENZO: Derenzo.

11 CHAIRMAN LINGENFELTER: Derenzo. Thank you.

12 MR. DERENZO: I just wanted to voice, my opposition.
13 The previous speakers have done a nice job. My concern is more
14 along the lines of what happens along State Route 44 since the
15 new interchange has come in because where I live, trying to get
16 onto to highway going northbound is very difficult during
17 morning rush hour and coming southbound when I get off of the
18 highway at the interchange, very difficult going southbound.
19 So putting in high-density residential that's going to be
20 trying to compete in that cross traffic, I am very concerned
21 about. That's, that's just really what I wanted to say. Thank
22 you.

23 CHAIRMAN LINGENFELTER: Thank you very much.

24 Anybody else seated in that last row? Anybody
25 standing in the back that would like to speak, please come on
26 up. Technically, sir, you weren't standing, but I will give
27 you -- You will get an opportunity. That's all right. You're
28 good.

29 MR. HACH: Hello, my name is Tom Hach and I live at
30 11575 Fay Road. I am also on the Riverside School Board. I am

1 speaking as an individual, not for the School Board. But from
2 my perspective, really what we need to do is continue to
3 diversify our economy and moving away from the commercial and
4 light industrial, to me, is absolutely the wrong answer.

5 To paraphrase the gentleman who spoke earlier about
6 being on a fixed income and being hit with taxes, which clearly
7 I have been a part of raising. If we have diversi -- our
8 ability to diversify the economy and spread that, that tax
9 burden over more commercial and light industrial entities, I
10 think, to me, it's just a no-brainer. We need to, we need to
11 diversify ourselves. We need to increase the tax base that way
12 and that would take some of the load off of the residents who
13 are here. So, to me, this is an no-brainer. It's already,
14 it's already there and we just continue to build it out as such
15 and that, to me, makes the most benefit for, for the community.

16 CHAIRMAN LINGENFELTER: Okay. Thank you very much.

17 MR. HACH: Thank you.

18 CHAIRMAN LINGENFELTER: Yes, sir, you are next. You
19 were semi-seated.

20 MR. WILTSE: Richard Wiltse, 7721 Woodstar. I have
21 only been here two years. We moved to Concord, like a lot of
22 other folks, to kind of get away from the whole city and the
23 traffic and whatnot. I guess my question to the Board is, I
24 know we've been at this for a while, looking. How many data
25 points do we really have on the effect of high density? Okay?
26 And by that, I mean, you've hired a competent group behind me
27 here to do that but in their, in their presentation, I didn't
28 see where they really cited any data points in their facts
29 versus myths, myths versus facts, however you want to state it.

30 CHAIRMAN LINGENFELTER: When you say data points,

1 what do you mean by data? Can you define that?

2 MR. WILTSE: Well, for example, on crime rates.

3 CHAIRMAN LINGENFELTER: Right.

4 MR. WILTSE: And then high-density areas, okay, they
5 said that, moving to the high density, that there is, you know,
6 no, no relative change in that, right?

7 CHAIRMAN LINGENFELTER: Right.

8 MR. WILTSE: Citing what?

9 CHAIRMAN LINGENFELTER: Right.

10 MR. WILTSE: Okay. So I am asking you as the Board,
11 did you do your homework on this, right, more than one data
12 point. Okay? Likewise with traffic, property values, the
13 whole nine yards. So that's, that's my main concern.

14 CHAIRMAN LINGENFELTER: Right.

15 MR. WILTSE: I think some of the, some of the stuff
16 is kind of appealing and whatnot. But like a lot of the folks,
17 and not to reiterate, but the effect on 44 is going to be
18 really challenging. I mean, it doesn't take a traffic engineer
19 right now to see what's going on. And if we flood that with
20 anything else, it's going to be a real disaster. So did we,
21 did we look at the alternate roads, right, in our planning?
22 That's it.

23 CHAIRMAN LINGENFELTER: Thank you.

24 Anybody else standing in the back that would like to
25 comment, please come up, state your name and address for the
26 record.

27 MR. MARLOWE: I'm Tim Marlowe at 7372 Hunting Lake
28 Drive. And my observation is the citizens of Concord may have
29 come to this table late, from your perspective, but we are
30 still citizens and wish to be heard even though we are late.

1 Supposedly, according to the Trustees and what you have said,
2 there have been public meetings and there has been public
3 discussion. I can tell you from the meeting that was at --
4 held at the Community Center today and the 50 or so people that
5 you have here now, you've reached an awful lot in the last
6 couple of days that you did not reach for the last several
7 years.

8 CHAIRMAN LINGENFELTER: Nothing mobilizes Concord
9 Township like a public hearing.

10 MR. MARLOWE: Well, it's more than a public hearing,
11 it's what the hearing is about.

12 CHAIRMAN LINGENFELTER: And it's also your right to
13 be here and make your comments and that's why we do this.

14 MR. MARLOWE: Yes. So what I am saying to you is
15 I've heard, like, a diminishing, like, it's too bad. Where
16 were you two years? Where were you five years ago? I don't
17 think that's a relevant statement to say to us as citizens. So
18 I, number one, just because we are objecting late doesn't mean
19 it's not a valid, solid objection.

20 CHAIRMAN LINGENFELTER: I agree with you.

21 MR. MARLOWE: Okay. The other issue is when they
22 were pointing out what a wonderful town center this would be --
23 and I am sure it would be a wonderful town center if the
24 residents wanted it -- I don't believe the existing citizens,
25 in a majority, want this. I think we want what we have. We
26 don't want the changes. And I think that the people that you
27 are trying to reach are not citizens of Concord.

28 You may be trying, with this concept, to pull people,
29 other people into this community but the citizens who elected
30 our representatives, the citizens that are here now do not want

1 this proposal. And if you do a zoning change, I think that
2 we'll do all that we can to stop it and to fight it.

3 CHAIRMAN LINGENFELTER: And that's certainly your
4 right to do that.

5 MR. MARLOWE: Yeah. And I really think that we will.

6 CHAIRMAN LINGENFELTER: That's certainly your right.
7 Thank you. Are you done? Okay. Thank you very much for your
8 comment.

9 Everybody in the back that's standing, I take it, has
10 had their say. We will move to my right, your left, to the
11 front row, anybody that would like to speak in opposition.
12 Okay. Anybody in the -- We will go to Row 2 now. Sir, please
13 state your name and address for the record.

14 MR. LAZUKA: Chris Lazuka, 8130 North Orchard Road.
15 Tim summed up most of what I -- I feel I agree with every
16 single word he just said. But I guess one thing I would like
17 to add is something that Bob Patterson mentioned in regards to
18 the 2004 Comprehensive Survey. I think, and specifically
19 targeting that survey of Concord Township citizens, which
20 stated -- And I, I jotted it down. One of the big -- This is
21 the last survey of our citizens that was done, as I understand
22 it. Correct me if I am wrong. One of -- On page 40 of the
23 2004 Comprehensive Plan, Number 7 of their findings was stated,
24 "There was a strong feeling against developing more townhouses
25 and apartments." So in the very same plan that's being
26 referenced here to rationalize this project, you've got the
27 citizens saying, "We don't want that."

28 So I guess my question is, and I will be done, what
29 data do you have today that contradicts that 2004 data?

30 CHAIRMAN LINGENFELTER: Thank you very much.

1 Anybody else in the second row? Come up, sir, state
2 your name and address for the record, please.

3 MR. CREWS: My name is Denny Crews. I live at
4 7129 Mountain Quail. I've lived in Concord for 27 years. And
5 I can say that there's many reasons why I would be against this
6 plan and I would recommend that you would stop it dead in the
7 tracks. We can talk about that. You've heard a lot tonight,
8 traffic, the danger of taxes going up. But I think the most
9 compelling reason for you, your group, to just stop this for
10 right now, just stop it, is that we live in a democratic
11 society.

12 We can argue that maybe we should have known this,
13 maybe we should have been here, maybe we should have watched
14 the Trustees closer. But even though you are not elected, you
15 are an appointed board, you are still part of a democracy. And
16 I think that, if you believe like we believe, that for whatever
17 reason, late or not, the majority of the population is against
18 this plan, I think that you are beholden to table this until
19 which time we can know more about it, can understand it and
20 have input and buy-in. I am definitely against this. I think
21 it should be stopped right now and tabled. Thank you.

22 CHAIRMAN LINGENFELTER: Thank you.

23 Anybody else on the second row? Ma'am, please coming
24 up and state your name and address for the record.

25 MS. WROBLEWSKI: Yeah. I'm Debbie Wroblewski.
26 I live at 11771 Jennifer Court for 39 years. And I just have
27 one little common sense element to add to this. Why would
28 anyone want to move to this JEDD area, to the residential, to
29 pay an income tax, into a township that has no income tax, and
30 drive half hour, 45 minutes, an hour to work every day? And

1 far as the senior citizens, why would they want to move there
2 to pay an income tax?

3 That's -- And just one little thing to add on. I
4 think we should support our businesses on Crile Road. Thank
5 you.

6 CHAIRMAN LINGENFELTER: Thank you.

7 MS. MATSKO: Hi, good evening. I will try to keep it
8 short as well. My name is Kari Matsko, 10915 Girdled Road. I
9 also moved here for the typical reasons, to get away from the
10 city life. I was near South Park Mall interchange, right over
11 there in Strongsville. So 15 years ago, approximately, I moved
12 here.

13 I won't bore everyone with the same commentary. I
14 agree with everything everyone has said in terms of the
15 opposition to the plan. My property is basically the south end
16 of where this development is planned, so I am basically in
17 ground zero. So my biggest issue is the traffic concerns. And
18 the best neighbors that we've had thus far on Auburn Road have
19 been the commercial industry.

20 So I would also like to, I guess, ask a question
21 either to the Board or to, perhaps, to think about with the
22 Trustees. I don't know if everyone has recently seen in the
23 news lately that Amazon.com is moving Midwest and there is
24 fulfillment centers. One might even -- They're looking at
25 Randall Park Mall where they're going to not just move into a
26 building but demolition and start from scratch. That's 1,000
27 jobs.

28 So I think there is a lot of potential for the
29 Concord Real Estate Investments, LLC, to bring a lot of jobs
30 and a lot of important commercial to Auburn corridor there as

1 opposed to this plan. Thank you.

2 CHAIRMAN LINGENFELTER: Thank you.

3 Vanessa.

4 MS. PESEC: Hello.

5 CHAIRMAN LINGENFELTER: Hi.

6 MS. PESEC: I have comments and I thought I would
7 pass them out if I can so, as I go through them, you will be
8 able to do that.

9 MR. RISINGER: Do you want to hold it?

10 MS. PESEC: No. Thank you.

11 So I agree with all the comments that people have
12 talked about. I do want to just explain the residential
13 density. It is 30 percent, up to 10 percent can be the multi-
14 family, but then you have to add a plus sign because there can
15 be residential above all of the mixed-use development. So you
16 will have -- could easily have, per the zoning text, not the
17 pretty picture but the zoning text, many more than 30 percent
18 residential units. So please be accurate when you talk about
19 the number, potential high end of the number of units. All
20 above that retail could be, could be, all above the mixed use
21 and the commercial could be retail.

22 And so I recommend, first, that you remove all
23 residential uses, and people have talked a lot of about that,
24 so I don't need to go into that anymore.

25 Also in Section 21.2, it states that all of the
26 changes after this overlay is approved are ministerial acts.
27 Really strange word, people might not get it. What that means
28 is it gives you and the Trustees complete control. Once it's
29 approved, the township residents will never have a say. Thirty
30 years from now, we could have a completely different set of

1 Zoning Commission members and trustees who may make decisions
2 that are really different from what your pretty picture is
3 showing and the residents would never have an ability to change
4 or challenge it. So I ask that that be removed and that we are
5 allowed a referendum for every parcel change.

6 Section 21.

7 CHAIRMAN LINGENFELTER: Wait. Say that again. You
8 recommend a referendum for what?

9 MS. PESEC: I rec -- the ability for a referendum
10 whenever the overlay district is being utilized.

11 CHAIRMAN LINGENFELTER: Okay.

12 MS. PESEC: Just as you do for every PUD that is
13 issued.

14 CHAIRMAN LINGENFELTER: Okay.

15 MS. PESEC: The same. Section 21.03, "Townhouses
16 shall be attached in groups of two to six dwelling units." The
17 Fair Housing Act -- I said this in 2015. I'm going to say it
18 again. Maybe this time it will work. The Fair Housing Act is
19 only applicable for four or more attached dwellings. So the
20 Fair Housing Act, good for a wheelchair, wide enough spaces,
21 public accommodation, elevators if it's two floors, all of
22 those nice and wonderful things that would help people with
23 disabilities and help the seniors and all the rest are not
24 applicable if your development partners choose three attached
25 dwellings. So please change the zoning text to either say the
26 Fair Housing Act applies regardless of the number of units or
27 change your text to say four or more dwelling units attached.
28 Either way would work but, otherwise, it doesn't help.

29 CHAIRMAN LINGENFELTER: Okay. Vanessa, your time is
30 up. So if you want to maybe give us a condensed final comment

1 here. I don't want to cut you short but --

2 MS. PESEC: Sue.

3 MS. CREWS: I give Vanessa the authority to --

4 CHAIRMAN LINGENFELTER: No, we are not going, no, we
5 are not going to play games of meeting time.

6 MS. CREWS: That's not a game. It's a wish.

7 CHAIRMAN LINGENFELTER: No, that's not -- Thank you.
8 Go ahead, Vanessa.

9 MS. PESEC: Sue, why don't you come on up here and
10 read it with me.

11 CHAIRMAN LINGENFELTER: Go ahead and finish what you
12 have to say.

13 MS. PESEC: Twenty-one -- I am going through the
14 exact specific things that you are requiring.

15 CHAIRMAN LINGENFELTER: Okay. Well, Vanessa, here
16 is --

17 MS. PESEC: I'm not talking about things, little
18 things.

19 CHAIRMAN LINGENFELTER: Hold on a second, Vanessa.
20 Let me finish. Okay? I, I established before the meeting
21 started that there would be a three-minute time limit. You
22 have submitted --

23 MS. PESEC: You didn't explain that to people.

24 CHAIRMAN LINGENFELTER: You have submitted, you have
25 submitted in writing, okay, for the Board all of the
26 information that you wish to convey. It's in the public record
27 now.

28 MS. PESEC: Yes.

29 CHAIRMAN LINGENFELTER: Having you talk about it and
30 lecture about it is not, is not really germane to the

1 situation. So you're either --

2 MS. PESEC: Oh, so you don't think that people who
3 might be watching or might be in the Town Hall or in the Fire
4 Department in the overflow section, you don't care what the
5 township folks say? I get it.

6 CHAIRMAN LINGENFELTER: I didn't say.

7 MS. PESEC: No, you did.

8 CHAIRMAN LINGENFELTER: I didn't say that.

9 MS. PESEC: You just did.

10 CHAIRMAN LINGENFELTER: No, I didn't.

11 MS. PESEC: You put it in public record.

12 CHAIRMAN LINGENFELTER: No, I didn't. You have --
13 You put this in the public record, Vanessa, and your time is
14 up. Okay? So I would like to move on to the next speaker.
15 Thank you. Thank you for your input. I appreciate it, I
16 really do. Thank you.

17 Okay. We're moving on to the next person, the next
18 aisle. Then it would be Row 4. Come on up, sir, state your
19 name and address for the record, please.

20 AUDIENCE MEMBER: Why can't she read the --

21 MS. PESEC: Here, Sue, read my --

22 AUDIENCE MEMBER: She's not allowed to.

23 MR. MORGAN: She can talk she. She said she didn't
24 want to.

25 AUDIENCE MEMBER: Yeah, I want to hear it.

26 AUDIENCE MEMBER: Yeah, we want to hear it.

27 AUDIENCE MEMBER: We can all hear it.

28 MS. CREWS: My name is Sue Crews and I live at
29 7291 Mountain Quail Place.

30 CHAIRMAN LINGENFELTER: Okay.

1 MS. CREWS: Section 21.07, "Maximum Commercial Floor
2 Area. The total floor area of a single retail business or
3 single service business shall not exceed 50,000 square feet,
4 unless approved as part of the development plan." Does this
5 mean that the Trustees have the authority to allow a big box
6 retailer into Concord if it's part of a plan? If so, this
7 approval, this approval language should be revised to not allow
8 a big box retailer into Concord.

9 Section 21.07(F), "No more than 10 percent of the 30
10 percent shall be devoted to vertical multi-family housing,
11 exclusive of townhomes and not part of a mixed-use building."
12 Can this statement be more clearly written? Can this be more
13 clearly written? We're asking that.

14 Section 21.07(E)(2), "Housing shall be developed and
15 maintained with significant professionally designed open
16 space." What is "significant"? A clearer definition should be
17 utilized, such as a percent.

18 Section 21.07(E)(6), "Housing Structures and
19 Densities. The following housing densities are permitted
20 within the Innovative Site/PD:

21 A. Townhomes. Density shall not exceed 9 dwelling
22 units per acre;

23 B. Multi-family. Density shall not exceed 20
24 dwelling units per acre."

25 This density is far too high for Concord. Lower the
26 density or, better yet, eliminate residential from this text.

27 Section 21.07(E)(8) "Buffering. Where proposed
28 housing abuts an existing residential district not within the
29 Innovative Site/PD the following shall apply:

30 (b) The proposed development shall have direct

1 access for the majority of its traffic to a major road and
2 shall not impose significant traffic impacts on the abutting
3 residential district."

4 CHAIRMAN LINGENFELTER: Your time is, your time is --

5 MS. CREWS: What are significant traffic impacts?

6 CHAIRMAN LINGENFELTER: Your time is running out.

7 MS. CREWS: This word shall be much more defined,
8 such as a percent increase in traffic. A traffic study shall
9 be required and remedies for the excess traffic should be
10 clearly required in this text. The developer should have to
11 pay for these improvements.

12 21.07(G) "Mixed Use Building Interior Landscaping.
13 For mixed-use buildings, interior landscaping shall comply with
14 the standards below:

15 (a) Provide public event, paved and green spaces for
16 mixed-use buildings."

17 Landscape paths should be made with concrete,
18 including colored and stamped concrete. Utilize the Cuyahoga
19 County Universal Design Standards and ban the use of pavers in
20 public paths as they become uneven surfaces which are jarring
21 for wheelchair users and dangerous for people with unstable
22 ambulations. Pavers and paver/concrete junctions settle
23 unevenly during the climate changes, posing significant
24 tripping hazards. However, pavers can be used as a decorative
25 edge.

26 Section 21.08(B)(15) "Parcels of land intended to be
27 dedicated or temporarily reserved for public use or reserved by
28 deed covenant with the condition proposed for such covenant or
29 dedication." The township should be very careful about who
30 owns and maintains the open space. If the Trustees own it,

1 there could be considerable maintenance issues. Ownership
2 requirements should be clearly spelled out in this zoning text.

3 CHAIRMAN LINGENFELTER: Okay. Your time is up.
4 Thank you very much.

5 Okay. Next row. Anybody want to speak, come on up.
6 Sir, state your name and address for the record, please.

7 MR. MASSIE: My name is Brian Massie, 8196 Rainbow
8 Drive. I lived in Concord here for 11 years. I'll try not to
9 be redundant but I am vehemently opposed to this entire
10 transaction for the reasons that have been also already
11 expressed as far as safety and tax increases.

12 The presentation made by our consultant, Chicago
13 consultants, is that made -- Is that made available? Can I
14 find that online? Because, quite frankly, I am not sure I
15 believe their myth and fact.

16 CHAIRMAN LINGENFELTER: Well, I mean, their slide
17 presentation, obviously, all those statistics and all the
18 information that was contained in that presentation is part of
19 the public record. So you certainly could get that from either
20 watching the video or, you know, requesting Town Hall for their
21 transcript of that. So, yes, that's available for you.

22 MR. MASSIE: Then I will, then I will do that
23 because, rest assured, when I see some of their, you know, when
24 they're quoting the Sierra Club and that sort of thing, I don't
25 know all of their quotes but I'm going to check out their myths
26 and their facts and we will report back to you whether or not
27 we really agree.

28 CHAIRMAN LINGENFELTER: Sure.

29 MR. MASSIE: The other thing is, I just want to let
30 you know that this Board, I couldn't -- I went to the question

1 and answer session. I couldn't believe that I heard the
2 Trustees say that this really doesn't apply to the people in
3 this room, it really applies to the millennials, those people
4 that are coming down the path.

5 Well, I, I can appreciate the next generation but I
6 am going to stand up for the senior citizens that are here in
7 this town. And I just want you to think about what you may be
8 doing, pricing these seniors out of their homes, and it's a
9 real threat. So please don't take it lightly. I appreciate it
10 very much.

11 CHAIRMAN LINGENFELTER: Thank you for your time.
12 Appreciate your comments.

13 Anybody else in the next row? Yes, ma'am, come on
14 up, speak your name and address for the record, please.

15 MS. HAFFA McCOY: My name is Peggy Haffa McCoy and
16 I've been here 50 years.

17 CHAIRMAN LINGENFELTER: Good for you.

18 MS. HAFFA McCOY: So do I --

19 CHAIRMAN LINGENFELTER: You might win the contest, by
20 the way.

21 MS. HAFFA McCOY: Do I get more than three minutes?

22 CHAIRMAN LINGENFELTER: No, no, you don't, but go
23 ahead.

24 MS. HAFFA McCOY: Okay. I just wanted to tell you
25 that I have an acre and a half and I love it. I sit out on my
26 deck and I think everybody would like to do that. So I think,
27 you guys, I'm not really for it. I'm not really against it
28 because I'm not going to be here that long. But I think of my
29 children, my grandchildren, they love it. So think long and
30 hard because you know what? It doesn't have to be tomorrow.

1 It can be the next regime that comes in here even. You don't
2 have to make a name for yourself. Think of the people. That's
3 what you should do. That's your job.

4 CHAIRMAN LINGENFELTER: We work very hard at doing
5 that every time, believe me.

6 MS. HAFFA McCOY: Okay. Thank you very much.

7 CHAIRMAN LINGENFELTER: Thank you very much for your
8 comments.

9 Anybody else in the next row? I think we're to the
10 last row. Anybody in the last row? Okay. If everybody has
11 had their say at this point in the room, we're going to take a
12 slight recess. And, Heather, or -- Can you check and see if
13 there are people over at the Fire Station that would like to
14 come over? I think we've had a quite a few people leave. We
15 could probably accommodate some additional people without
16 having to have people leave. We will take a slight recess and
17 we'll start again.

18 (Whereupon, there was a recess.)

19 CHAIRMAN LINGENFELTER: Okay. Recess is over. We
20 would like to get back to the public comment portion of this
21 public hearing. We hope that we could get some people in from
22 across the parking lot that were watching on TV and they -- I
23 would like to also give them the opportunity to have their say
24 in this process.

25 We were in the process of having people that were
26 opposed to the development speak. What I will ask is that you
27 come up and state your name and address for the record. You
28 will be given a three-minute time limit to have, have your say
29 and, hopefully, we can get it done in that three minutes.

30 Anybody on this first row? You are here. Second

1 row, anybody that would like to speak in opposition. Sir?

2 MR. VIVIANI: Opposition?

3 CHAIRMAN LINGENFELTER: Opposition. Please state
4 your name and address for the record.

5 MR. VIVIANI: Carl Viv --

6 CHAIRMAN LINGENFELTER: Up by the podium.

7 MR. VIVIANI: Carl Viviani, 36235 Ridge Road,
8 Willoughby, Ohio. I don't live in Concord but I own property,
9 industrial property in Concord. And I am opposed. Basically,
10 everything I heard today from people that were opposed, I
11 agreed with. And I would only add that, I think, as an
12 industrial building and property owner, I have my own agenda
13 that is also opposed from my standpoint. But I think that they
14 all had very good points and I agreed with all of them. Thank
15 you.

16 CHAIRMAN LINGENFELTER: Very much thank you.

17 Okay. We will move on to the third row. Anybody in
18 the third row that would like to speak? Yes, sir, come on up,
19 state your name and address for the record, please.

20 MR. FOX: This is going to be fun. My name is
21 Michael J. Fox. I live at 6991 Auburn Road. I have been here
22 for 10 years. And that is my name. I have other nicknames
23 that people might want to call me. I will quote Ronald Reagan
24 about our Board of Trustees, where I never heard so much
25 information about things that just weren't so. That's
26 impressive. But if I wanted to go to a dog and pony show, I
27 would pay to go to the dog and pony show.

28 CHAIRMAN LINGENFELTER: Okay. Sir --

29 MR. FOX: If I wanted to see -- All right.

30 CHAIRMAN LINGENFELTER: Excuse me.

1 MR. FOX: This is America, right?

2 CHAIRMAN LINGENFELTER: It is.

3 MR. FOX: I'm trying to get my point across.

4 CHAIRMAN LINGENFELTER: Okay. But --

5 MR. FOX: I have three minutes. Do I get three
6 minutes?

7 CHAIRMAN LINGENFELTER: You get your three minutes.

8 MR. FOX: Good.

9 CHAIRMAN LINGENFELTER: If you would like to speak in
10 opposition --

11 MR. FOX: I am speaking in a civil manner. Just
12 because it touches you in a way that you don't like, oh, well
13 this is still America. It's not your home country of Russia.
14 This is not Marxism. We have a try right to speak.

15 CHAIRMAN LINGENFELTER: Sir.

16 MR. FOX: We pay the taxes here.

17 CHAIRMAN LINGENFELTER: Sir, you will either remain
18 calm and you'll speak --

19 MR. FOX: I am calm.

20 CHAIRMAN LINGENFELTER: -- in an orderly fashion or
21 you'll sit back down.

22 MR. FOX: Okay.

23 CHAIRMAN LINGENFELTER: That's what we will do. So
24 it's your choice how you proceed, so proceed.

25 MR. FOX: I guess that was a threat, okay. Anyhow, I
26 moved to Concord Township to get away from the city with people
27 stacked on top of one another. And this guy from Chicago --
28 Isn't that the crime capital of the world? Oh, that's right.
29 We are getting personal there. What's he know about Concord?
30 I taught in Cleveland, Glenville -- oh, and by the way -- 21

1 years. Highly dense areas are highly crime areas with drug,
2 crime, murder, everything that goes with it. And they want to
3 bring it out here and he wants to quote some myth or facts type
4 stuff? What a -- please.

5 There is nothing true in what he was trying to
6 present. Anybody can pull up statistics about anything to
7 prove a point. Only thing is, they're not true. I know
8 better. And people moved here to get away from the traffic.
9 The traffic out on 44 and Auburn is ridiculous. It's a
10 cluster. It's dangerous. I watch people skating through the
11 intersection doing screwy things all the time. It take me
12 three times, four time longer than it ever took just to get
13 through that intersection and it's only going to get worse. So
14 I didn't move here to have all these nice little fancy
15 restaurants.

16 Yeah, I hear about Willoughby. Yeah, I talk to
17 people that are on the boards in Willoughby and they say, "Oh,
18 yeah, it's nice downtown where the pictures and the beer and
19 all this other stuff is." But behind there, all the drug
20 issues going on and the crime that nobody wants to see or talk
21 about. You know, look at downtown. Oh, it's a groovy place.
22 All the millenials love it. Yeah, but what about the crime?
23 And that's exactly what's going to follow out here.

24 And Ben Franklin told that story a long time ago.
25 We'll end up -- We're going to look like Europe, we're going to
26 end up like Europe, stacked on top of one another with all the
27 crime. And that's what you're trying to bring in here. And I
28 moved out of Euclid with my wife to get away from all that
29 stuff. Now you want to bring it back in.

30 CHAIRMAN LINGENFELTER: Thank you for your time.

1 Thank you for your comments. We appreciate it.

2 MR. FOX: Yeah. God bless America, not Russia.

3 CHAIRMAN LINGENFELTER: Okay. Next, next, anybody
4 else in that row that would like to speak? Next row, that
5 would be the one, two, three, fourth row, fifth row. Anybody
6 that would like to speak? Sixth row, last row by the
7 videographer? No? I will move over to this side. Anybody in
8 the first row? Second row? Third row? Fourth row? Last row,
9 anybody that would like to speak?

10 Okay. Now we will move in favor of the proposal. On
11 this side, would anybody like to speak in favor? On this side,
12 we will just go with this side, anybody on this side interested
13 in speaking? What about on this side, anybody in favor? At
14 this point, I am going to assume that the public comment is
15 over.

16 Is there anybody else that would like to ask any
17 questions?

18 Yes, Vanessa.

19 MS. PESEC: I will just speak over here. The very --
20 One of the final points was the, the presenters talked about
21 the market analysis or they talked about requiring extensive
22 market surveys and that sort of thing. But in the text,
23 21.08(B)(5), the requirement is, "the market analysis
24 indicating projected market for proposal -- proposed project."
25 That's it. This is a new point.

26 And so I think that, if you really are serious about
27 trying to understand the plan and what it's going to bring,
28 that you need to be a lot more specific in your zoning text
29 regarding what the definitions and the requirements are for a
30 "market analysis" and "market proposal." Who is it going to be

1 attracted to, what are the numbers, where are they going to
2 come from, what are their incomes, and so forth and so on? So
3 I really encourage you to put in a much more robust definitions
4 and requirements for that section. Thank you.

5 CHAIRMAN LINGENFELTER: Thank you.

6 Is there anybody -- Heather, was there anybody else
7 over at the Fire Hall that had an interest in speaking, do you
8 know, or do we have everybody that --

9 MS. FREEMAN: As far as I know, they were all given
10 the opportunity to come over.

11 CHAIRMAN LINGENFELTER: Okay. All right. I just
12 want to make sure. We don't, we don't want do leave anybody
13 out of the process.

14 MR. SCARVELLI: You asked if there were any
15 questions.

16 CHAIRMAN LINGENFELTER: Yes, sir. And those
17 questions are being directed to the Board, please.

18 MR. SCARVELLI: My name is Russ Scarvelli. I live on
19 Malachite Court, 11534. All I want to know is, the statement,
20 first, would be, it seems like there's an overwhelming amount
21 of people who are opposed to this whole idea. Will there be
22 any further action as far as voting by the residents and the
23 voters, the taxpayers here?

24 CHAIRMAN LINGENFELTER: When you say "further
25 action," what do you mean by that?

26 MR. SCARVELLI: In other words, before anything goes
27 into play, will we, the citizens and the taxpayers, have the
28 option to vote yes or no for what goes on?

29 CHAIRMAN LINGENFELTER: If, if this proposal passes
30 and it goes to the Trustees, and if the Trustees recommend and

1 pass what we recommend to them, and then that will be the end
2 of the conversation. And if the citizens --

3 MR. SCARVELLI: Well, how is the proposal --

4 CHAIRMAN LINGENFELTER: If citizens would like to
5 mount a referendum vote against their decision, they have the
6 right to do that and they would have to follow the rules and
7 petition and get the signatures that would be appropriate to
8 put it on the ballot.

9 MR. SCARVELLI: So how would this take place?

10 CHAIRMAN LINGENFELTER: And that way the citizens of
11 Concord Township could have a vote. So we've had referendums
12 in the past. It's happened on other issues with regards to
13 zoning in the township and it has gone to vote. Some
14 referendums have passed, some have not. So it's kind of a --
15 It's kind of a 50/50 proposition as to what could happen.

16 MR. SCARVELLI: But you stated that it had to go
17 through the Trustees.

18 CHAIRMAN LINGENFELTER: That's correct.

19 MR. SCARVELLI: And then you guys would follow up
20 from there.

21 CHAIRMAN LINGENFELTER: No. We're recommending
22 body.

23 MR. SCARVELLI: Oh, you are before.

24 CHAIRMAN LINGENFELTER: We come first. We take their
25 things under advisement. We make a decision. We pass that to
26 the Trustees whether we -- We could either reject this proposal
27 or we can accept it and we move it forward to the, to the
28 Trustees.

29 At the point, they can override our rejection and
30 still vote for it or they can accept our decision or they

1 could, you know, they could move in their, in their direction.
2 And there would be a public hearing and an opportunity for the
3 public to have a say then.

4 MR. SCARVELLI: Well, I think it would behoove you to
5 do what the people want.

6 CHAIRMAN LINGENFELTER: Sure. And that's why we have
7 these public hearings, sir. That's the reason.

8 MR. SCARVELLI: That's what I am saying. It's very
9 important that you do what the people want you to do.

10 CHAIRMAN LINGENFELTER: Yes, sir.

11 MR. SCARVELLI: All right.

12 CHAIRMAN LINGENFELTER: Thank you very much.
13 Appreciate your comments.

14 AUDIENCE MEMBER: Are you going to do what the people
15 want?

16 CHAIRMAN LINGENFELTER: Okay.

17 MR. MORGAN: Mr. Chairman.

18 CHAIRMAN LINGENFELTER: Yes?

19 MR. MORGAN: May I ask a question of the residents
20 before we start?

21 CHAIRMAN LINGENFELTER: Sure.

22 MR. MORGAN: To get a clarification.

23 CHAIRMAN LINGENFELTER: Sure.

24 MR. MORGAN: In hearing what I am hearing tonight, it
25 appears to me that the major issue with this proposal is the
26 residential portion of it. And I would like, I'd like, just
27 for further clarification because I am having a hard time
28 understanding why approximately, you know, 300 or 320 possible
29 additional units is a big issue, because that is what we are
30 adding tonight. The portion of this that goes to the

1 residential that's over, that would be over top of the
2 buildings in the Capital District, that is already in the code
3 as being able to have residential above it.

4 So I guess I'm not, I'm not completely understanding
5 why there is such opposition to, you know, a little over 300
6 some additional residences that are going to be priced at a
7 range that is common with, with this county or with this
8 township. Yes, sir.

9 MR. VIVIANI: Do you want -- Can I answer that?

10 MR. MORGAN: Yeah.

11 MR. VIVIANI: Carl Viviani. The answer I would give
12 you is it would set a precedence and one thing leads to
13 another. If you have 50, 60, 80 there and a developer wants to
14 build more, cheaper units elsewhere, well, you let that go
15 through. Why are you going to hold me up? There are none --

16 MR. MORGAN: Those precedents are already in this
17 township.

18 MR. VIVIANI: There are none right now in Concord.

19 MR. PETERSON: We have high density in Concord behind
20 St. Gabriel.

21 MR. VIVIANI: Are they low income?

22 MR. PETERSON: This is not low income.

23 MR. MORGAN: This doesn't say anything about low
24 income.

25 MR. VIVIANI: I say, but one thing leads to another.

26 MR. PETERSON: Yeah, but we have control through
27 zoning.

28 MR. VIVIANI: Will you?

29 MR. PETERSON: We do.

30 MR. VIVIANI: But you have to say no and defend it

1 and they can go through the courts and, perhaps, overturn you.
2 I don't want any more, period, in the area.

3 MR. MORGAN: They could do that right now.

4 MR. PETERSON: Yeah, they could do that now.

5 CHAIRMAN LINGENFELTER: Thank you for your comment.

6 MR. VIVIANI: That answer is no good.

7 MS. PESEC: Gerry, I'd be happy to answer that.

8 MR. MORGAN: Okay.

9 MS. PESEC: You are my mike guy. Thank you. I can
10 hold it since I am not reading anything. Thank you so much. I
11 really appreciate it.

12 So I think that, when we talk about high density
13 currently in the township, what is the highest density that we
14 have, six units an acre or eight?

15 MS. FREEMAN: What's actually built out or what is
16 permitted?

17 MS. PESEC: No, no, no, in the regular part of the
18 township.

19 MS. FREEMAN: What do you mean?

20 MS. PESEC: In all of Concord, the maximum density
21 for any of the current residential areas is, you know, like --
22 I don't know -- six or eight, yeah. So this is twice --

23 MS. FREEMAN: Well, what's currently built out is
24 higher than what's currently permitted. We have developments
25 that go up 16 units per acre.

26 MR. PETERSON: Johnnycake Extension.

27 MS. PESEC: Right, right. But this being 20 units
28 per acre, as I think -- and is only a compromise currently, you
29 have to remember that the original, that this was presented as
30 175 acres and 40 units per acre. Now we're down at 107 acres

1 and 20 units per acre. That doesn't mean that, as soon as this
2 is done and this is passed, that we won't -- you guys won't be
3 back here hearing another case where it's bumped back up to 40.
4 So as we've talked about precedence, I think that this is big.

5 The other thing is that when you calculated the exact
6 number, you were just using the 107 acres, but realizing that
7 we could easily have more than -- We could have the 175 acres,
8 not the 107. And --

9 MR. MORGAN: That's not what's being passed though.

10 MS. PESEC: Well, not now, not now, but it was just
11 presented to us two months ago.

12 CHAIRMAN LINGENFELTER: But that proposal was --

13 MR. MORGAN: Right.

14 CHAIRMAN LINGENFELTER: -- was removed.

15 MS. PESEC: That's right, it was currently removed.

16 CHAIRMAN LINGENFELTER: And it was, and it was --

17 MS. PESEC: Right.

18 MR. PETERSON: And under that proposal, it was 192
19 units approximately or about 400 to 425 people. Now it will be
20 less.

21 MS. PESEC: Right.

22 MR. PETERSON: That's hardly high density.

23 MS. PESEC: Well, it is high density when you look at
24 it on a per unit basis and you take out the things like the
25 open space.

26 MR. PETERSON: What's the down side? What's the down
27 side?

28 MS. PESEC: Well, I think that you heard that, first
29 of all, you have a lot of the folks that have commercial
30 property are really worried that they think that it will impede

1 their ability to successfully market other commercial
2 properties in the area.

3 MR. PETERSON: The flip side is it could increase
4 their ability.

5 MS. PESEC: That is really, really important. When
6 you look at the very pretty plan that the Trustees -- Trustee
7 Malchesky said that plan is just a pretty picture and we
8 shouldn't even look at it. We should only look at the words
9 and the text, realizing that the words and the text are what
10 matter, not the pretty picture. And so you need to understand
11 that it is, that it is just that and that it's the words that
12 really matter.

13 MR. McINTOSH: Vanessa, Vanessa, a couple things
14 here. First off, I want to make it clear that, you know, we've
15 heard. I mean, we've been here for, you know, going on three
16 hours, soon to be three hours and we've listened. So I don't
17 think -- I'm not going to speak for commissioners. I've heard.
18 I hear the objections and I want to make a couple points.

19 First off, we're looking at, you know, housing
20 numbers. We've seen some people around 400 or 450. It's 2
21 percent of Concord's population. Okay? That's a pretty small
22 number. And that is, you know, more on the high side, maximum
23 potential.

24 It was brought up earlier in some comments too about
25 zoning text and the future boards. Okay. The Comp Plan has
26 had a bunch of things happen to it. We, as far -- So there's
27 been all these different things that have gone along. So for
28 the record, I have been on the Zoning Commission for eight
29 years and I walked into this process with a lot of conversation
30 already in process. I had to learn, pick up the ball and, kind

1 of, understand it. Okay?

2 So we went through a process last year and a lot of
3 us came, said, "Hey, we have to look at the text. There is
4 things." In addition to what's being reviewed here, we've got
5 parking. We've talked about impervious surfaces and runoff and
6 the infrastructure and some of the flooding problems. We went
7 through and dealt -- We had the Chagrin Water Partners here in
8 the last couple years. We've dealt with a lot of those issues,
9 all concerns of the township.

10 So we are hearing this loud and clear. Okay? So we
11 are looking at all parts of it. As a part of that process,
12 we've cleaned up -- I don't know -- in the last year or two, a
13 ton of zoning text.

14 So somebody made a comment, it might have been you --
15 I apologize if I don't recall specifically if it was you or
16 not -- that said, what about another board? Okay. What about
17 another board? Okay? If another board clears out text,
18 they're going to come in and have to go through the same
19 process here. We are putting in possibilities. This is not a
20 plan that says what's going to happen. Okay?

21 And, again, I want to say I have heard, but I want to
22 put in context what we're doing here tonight. We're passing
23 text. We change text all the time, constantly, two, three
24 times a year. And we've repealed text from the '60s. We
25 recently took out a huge chunk of zoning text that allotted for
26 Breckenridge style thing that they have up in Willoughby
27 between Euclid Avenue and 84 that's the high-rise that has
28 every, every level of senior housing from independent living to
29 full nursing homes. Concord had that in its zoning text
30 since -- I don't recall but, like, 20 years or something like

1 that and it never got bid on and we, kind of, said, "Hey, it
2 doesn't fit with the things," and it was repealed and removed.

3 So to sit here and take a look at this and sit there
4 and say, "Well, you are doing this and you're setting a
5 precedent," well, that happens every day and all the time. And
6 this Board, as well as the Trustees, are charged with taking a
7 look at what goes on to deal with consultants -- and, again,
8 not just Risinger but other people have come in and talked on
9 subjects of flooding and so forth -- and to take that in and
10 figure it out and try to determine what's best, you know.

11 And we listen. We had an apartment complex come in a
12 couple years ago and the Board shot that down because we said
13 it doesn't fit. It doesn't fit, you know.

14 This approach is something that's completely
15 different than what we were presented with two years ago when
16 we had that. So I want to put all of that in context. I
17 appreciate your comments. I hear what you are saying. I hear
18 your concerns about density.

19 But to sit there and speculate what a zoning board
20 may do in the future with this, that is a day-to-day risk that
21 we run all the time. I can't, you know -- I am overturning
22 stuff people did 20 years ago all the time. They were privy to
23 information and things that happened then. We are dealing with
24 what's happening now.

25 MR. PETERSON: And I'd like to tail in on that
26 comment because just a few things. I jotted down the main
27 concerns I heard tonight, and those are the same concerns, by
28 the way, that we had. We've been dealing with this for some
29 time. We all live in Concord, all of us, and we all care
30 deeply about this community or we wouldn't be here. This isn't

1 a, this isn't a glamorous job. But I've lived here since 1974.
2 I have seen a lot of changes since 1974. But I will have to
3 say this, that Concord Township is going to develop because
4 it's a nice area. We all like living here. You came from
5 Euclid. I came from Painesville. We came here because it was
6 a nice community. Any nice community is going to attract new
7 people. We are adding 80 to 90 new houses each year whether we
8 like it or not because it's zoned and it's free enterprise and
9 it's happening.

10 Concord is going to grow. We are approaching 20,000
11 people. When I moved here, we probably had five. We are going
12 to approach 30,000 some day, and I think buildout is 40,000.
13 So that's coming whether we like it or not.

14 So our job here is to make sure that we plan those
15 steps very carefully. So I listened and I heard complaints
16 about taxes. Everybody's taxes are going up, my taxes too.
17 But look at your tax bill. Each of you look at your tax bill,
18 because I did. Only a small portion of your taxes are going to
19 Concord. The biggest portions are going to the school
20 district, Riverside High School, they're renovating their
21 schools, they're modernizing. We passed a levy. We all voted
22 on that. Mental retardation, we passed a levy. We all voted
23 on that. The crime lab, we voted on that. Metroparks, we
24 voted on that. Those are where our tax dollars are going.

25 Paul Malchesky put it very well. The average Concord
26 resident's taxes that come to Concord barely pay to fill a
27 pothole, one pothole. Our tax money is -- it's going up but
28 it's not just Concord. It's most of the other things.

29 So this is a potential here if we put in residences
30 where they're paying a tax. Somebody said, "Well, why would

1 they want to?" People live in Mentor and pay tax. People
2 living in Painesville and pay tax. You live in a community,
3 you make a decision. Is it worth it to me to pay 1.75 percent?
4 If it's not, I won't go there. But if I don't care, I pay the
5 tax. That money comes in and helps our township. All these
6 little shops and stores along Auburn Road, that money comes in.
7 The employees that work there pay into the JEDD tax. That
8 helps keep our taxes down.

9 There is nothing -- I have seen Defend Concord. I
10 have seen the emails. This talk of taxes going up because of
11 this is crazy. If anything, our taxes should maintain or even
12 go down depending on how we do it.

13 And then talked about traffic. Chardon is growing as
14 fast as Concord and that traffic is coming up 44 whether we
15 like it or not. We can't stop that. 44, all these roads are
16 ODOT controlled, not Concord controlled. We lobby, I know our
17 Trustees work all time with ODOT to try to address the traffic
18 issues. This crazy setup that we have that everybody doesn't
19 like, including my wife, where you can't turn south on 44,
20 that's ODOT, that's not Concord. They did that for safety
21 reasons. Whether we like it or not, that's what we did. Will
22 they change it? Who knows. But we can lobby for that. But
23 ODOT controls all the flow of traffic.

24 And if you've lived in Concord long enough, and most
25 of you have, you know the way to get around to avoid most of
26 the traffic most of the time. Not at quitting at work or
27 starting work. You can't avoid that maybe, but the rest of the
28 time you can avoid it. I'm pretty good at it. I can avoid
29 that traffic.

30 And then we talked about the industrial base that we

1 would have down there. That land has sat there for many years
2 zoned industrial. We don't have takers. Nobody is building
3 factories in Concord. It's not going to happen. To the
4 chagrin of our people over here that own the land, it is not
5 going to happen.

6 So if some developer comes in here and is willing to
7 work with us on putting together a proposal like this that
8 should benefit Concord and they've got the right money, these
9 guys will sell to the right money. You know they will.
10 Dollars talk. And they're not going to get it industrial or it
11 would have happened.

12 As far as high density, again, a few hundred more
13 people, hardly any impact on the school system because most of
14 them would be people, like a lot of us, that want to downsize
15 and maybe live in a place like this, or young couples just
16 starting out that would like to live in a place like this.

17 The apartments that might be in there, probably there
18 will be very few, would be high-end apartments. These aren't
19 Section 8 housing. This is nice apartments where people would
20 be proud to live and ride their bike down or walk down to the
21 town center and go a dinner or get involved in the various
22 activities that are there.

23 AUDIENCE MEMBER: I wouldn't guarantee that.

24 MR. PETERSON: So 400 people -- Well, let me finish.
25 So 400 people is not high density. So I personally -- and I am
26 not going to, I'm not going to put his words on record but I
27 spoke to the sheriff of Lake County and I showed him the
28 diagram and said, "Is this a concern to you?" We had some
29 discussion. Those are his words but, bottom line, it's not a
30 concern to him. He sees -- He does not see a problem there.

1 Okay? I, I checked that out because I, like you, are -- I am
2 concerned with that stuff.

3 But Concord is going to develop, folks. It's going
4 to develop. So it either develops haphazardly, things popping
5 up along the way, or it does it to a plan. Our Trustees have
6 given us a plan that helps us keep Concord, the good things
7 that we like and keep out most of the bad things that we like,
8 you know. And it's going to happen.

9 Just the other day, we talked about a sense of
10 community in all of this and the Trustee said, "We need a sense
11 of community." I don't know if any of you go to the little
12 concerts over here at the gazebo but I do. And there is only
13 about 200, 200 people -- 50 people that show up each week. But
14 when you're at that concert, there is a sense of community
15 because you see a neighbor or you see a friend. You listen to
16 entertainment. That's a microcosm of what this town center
17 could be.

18 Last week I went to Mentor's new amphitheater.
19 Mentor spent \$2 million of tax money -- you want to complain
20 about us spending tax money -- \$2 million for a new
21 amphitheater. I went to hear Abbey Rodeo in concert last week
22 and there were between two and three thousand people there, all
23 Mentor residents, all having a good time, seeing their friends,
24 seeing their neighbors in a really neat environment. And they
25 made a PA address announcement at the end of the concert
26 thanking everybody for showing up and they said, "This is what
27 we envisioned when we built this, a place where Mentor
28 residents could come, get together and have a sense of
29 community." This town center would be a great sense of
30 community, and I don't know why anyone would think differently

1 of that, you know.

2 So in closing, you know, I am going to just say this
3 is not going to affect the lady that has the acre and a half
4 out in the country. Zoning out there stays the same. This is
5 one little pocket, isolated pocket that affects very few
6 residents, a few people on Auburn Road. But that's already
7 zoned commercial, so over time that would develop anyhow. This
8 is a little, in a sense, quarantined area that's a self-, self-
9 sustaining village, let's say, with maybe 400 residents, plus
10 the people from Quail Hollow coming over there.

11 Quail Hollow is building a new group of cluster homes
12 right down here on Crile Road. Those people would go over
13 there for the services, the rest of us here in Concord could go
14 there as we see fit, but that would be what would draw us
15 together as a community. Because, otherwise, we are just a
16 bunch of people living on lots in a nice community. And
17 everyone that comes here wants to close the door and say, "No
18 more after me. I'm the last one in. We don't need anymore
19 development." It isn't going to work that way. We have zoning
20 in place, very careful zoning in place to protect this
21 community as it grows.

22 And we are working, as a Board here, we are working
23 very, very hard to make sure that the development that happens
24 is done in a systematic and orderly way, and we really are
25 looking out for the good of everyone. And the fact that 50 or
26 30 or 80 people show up and complain doesn't represent this
27 whole community. I've talked to -- I can tell you I have
28 talked to eight different families, some that called me, and I
29 have not yet had a negative response once they understood what
30 this was all about. Nobody -- They all go, "Yeah, we are going

1 to get a little traffic." Well, traffic is going to happen
2 anyway. But maybe this helps us with taxes, maybe it gives us
3 a sense of community. But it's a controlled and planned
4 growth, as opposed to chaos that could happen if we didn't do
5 this. So we're working very hard here as a team to make sure
6 that we do the right thing.

7 MS. PESEC: I do believe that, that you think that
8 this is a way to control development. And I do, I do believe
9 that, you know, over time you have heard a lot of things that
10 have been going on, and especially maybe 2014 and 2015. Those
11 are the areas -- the years where you've had some development.

12 I think though that, to your point that you have
13 spoken with some people and they thought it was okay and now
14 there is 80 people who don't think it's okay, the last survey
15 said that it wasn't okay. And nobody --

16 MR. PETERSON: Thirteen years ago, thirteen years
17 ago.

18 MS. PESEC: I know.

19 MR. PETERSON: And things change.

20 MS. PESEC: That's the biggest point of all is that
21 why don't we ask?

22 MR. PETERSON: Okay. Let me address that.

23 MS. PESEC: Why don't we go to the Grapevine and talk
24 to people about that?

25 MR. PETERSON: Let me, let me address that. I worked
26 in manufacturing for most of my career. We did surveys of our
27 customers. We did surveys every way, shape and form you could
28 think of. But surveys are very ineffective because the only
29 people that respond to surveys are the people that feel really
30 strongly one way or another. Every time I take my car to

1 Classic, I get a survey. Do I answer them all? No.
2 Everything was fine. I'm not going to say anything. I don't
3 have time. I am busy. So surveys are only -- You are only
4 going to get a percentage back and those are going to be the
5 people that feel strongly one way or another.

6 And in a survey there are definitions. If we said
7 "apartment," what's the first thing we think of? The gentleman
8 from Euclid, I know what he's thinking of. That's not what we
9 have in mind here. Okay? How do you define "apartment"?
10 Condominium, how do you define "condominium"? There's a lot of
11 definitions of "condominiums," the kind that somebody talked
12 where the walls were so thin you could hear the neighbor.
13 Well, that's not what we are talking here but that could be
14 perceived that in the survey. There is no way a survey can go
15 out to people unless you talk to everybody one on one, and even
16 then you get the certain amount of bias.

17 We are a township. We elected trustees, elected
18 trustees. Us guys are just appointed. We elected trustees and
19 we trust them to make the right decision.

20 MS. PESEC: Right.

21 MR. PETERSON: If they make the wrong decision, you
22 have the power of the vote anytime you want. But I would say
23 this, again, I have lived here 43 years. I have seen a lot of
24 change in Concord, and I've got to say that it's mostly been
25 positive. We fiscally manage money well in this township. The
26 Trustees, I think, do a really good job. All of the different
27 boards like us, I think, work really hard. I'd like to think
28 we do a good job. There are a lot of people that care to make
29 this community work, and certainly we try to make it work for
30 the benefit all of us that live here. We all live here.

1 MS. PESEC: I agree.

2 CHAIRMAN LINGENFELTER: Thanks, Rich.

3 MS. PESEC: But, you know, the thing that you need to
4 understand is that I worked in advertising and direct marketing
5 on Madison Avenue in New York City and I know that there are
6 definitely very effective ways that you can get statistically
7 significant and accurate studies of the -- of Concord Township,
8 both in terms of the questionnaire and the response rate and
9 there are many ways to do that. And you can see that, by the
10 huge number of people that are now pouring out because there is
11 this big, large change that's going in --

12 MR. PETERSON: Huge number of people? We have 20,000
13 people in Concord and we've got 50 that are here.

14 MS. PESEC: Oh, you should have been at the other
15 meeting because there were certainly a lot more.

16 MR. PETERSON: All right, then 200.

17 MS. PESEC: But this is really going to change
18 Concord drastically. You talk about the number of units.
19 That's per the pretty picture. Don't look at the pretty
20 picture.

21 MR. PETERSON: We don't even have a developer.

22 MS. PESEC: You have to look at the zoning text.

23 CHAIRMAN LINGENFELTER: You know what? I am going to
24 put an end to this banter back and forth.

25 MS. PESEC: And so I think that you should look at
26 that.

27 CHAIRMAN LINGENFELTER: Vanessa, we appreciate your
28 comments. You did get to speak earlier, so we're going to call
29 a --

30 MS. PESEC: Thank you.

1 CHAIRMAN LINGENFELTER: -- time on that. Thank you
2 for your input.

3 MS. PESEC: Did you want to say something about --

4 MR. PETERSON: We had a couple questions, Andy. Yes?
5 Yes, sir.

6 CHAIRMAN LINGENFELTER: Hold on a second, Rich. Hold
7 on a second, Rich. If you have a question, you can come up to
8 the podium, please, and speak. Thank you.

9 MS. FREEMAN: Mr. Chairman, just remind them to state
10 their name and address for the record.

11 CHAIRMAN LINGENFELTER: Right. Michael J. Fox, I can
12 remember that.

13 MR. FOX: Michael J. Fox.

14 MR. PETERSON: We got that one.

15 CHAIRMAN LINGENFELTER: That's a name you don't
16 forgot.

17 MR. FOX: Yeah, sometimes that's good, sometimes it's
18 bad. It seems to me, when there's a dissenting opinion from
19 what you guys have, that you're threatened by it. Why?

20 MR. PETERSON: No, dissenting opinions are fine, but
21 what I am saying is there are probably 10 or 100 times more
22 approving opinions. They're just not here tonight because they
23 don't have the passion that you guys have because you're
24 against something because a lot of false information has been
25 spread.

26 MR. FOX: She was for it. Oh, I'm not supposed to
27 point. I'm sorry.

28 MR. PETERSON: We have a lot of false information
29 spread in the community. I saw the email and I read -- I
30 looked Defend Concord. There's a lot of misinformation in

1 there and people read that misinformation and they get upset.
2 What we're trying to do --

3 MR. FOX: Well, I listened to -- What's your name,
4 Morgan?

5 MR. McINTOSH: Yes, sir, yeah.

6 MR. FOX: Morgan, he was talking about text. What I
7 see out on 44 is not text. I see problems out there. I see a
8 lot of traffic problems.

9 MR. PETERSON: ODOT.

10 MR. FOX: I heard this guy behind me from Chicago say
11 we're going to reduce traffic. I don't see reduced traffic.

12 MR. PETERSON: He never said that. And understand
13 that we hired an agency that happens to reside in Con -- in
14 Chicago. They could have been in Cleveland. They could have
15 been in Painesville. It doesn't matter where they come from.

16 MR. RISINGER: But half our office is in Ohio.

17 MR. PETERSON: Okay. So they have offices in Ohio.
18 It doesn't matter. They have expertise in the area. They have
19 expertise in that area. That's what they do, so we hired them.
20 It doesn't matter where they live or where they come from.
21 It's what they know about this type of activity and development
22 and that's why they were hired. So why would we not listen to
23 the experts?

24 MR. McINTOSH: And I'd like to just make a short
25 comment with respect to the traffic thing, and I think it comes
26 up and everyone mentions ODOT. It is very easy for us to sit
27 here and "ODOT" but, I mean, ODOT manages 44 and they manage
28 90. And we can scream and holler and I can tell you, from
29 personal experience, that I know the Trustees have talked until
30 they're blue in the face about a lot of stuff, the roads that

1 we got that have made some things better, not everybody likes
2 it. So that took a long time to get.

3 You come in with a development or something like that
4 that might get out of this text and it's going to force more of
5 an issue, you know. That's going to raise the elevation in
6 ODOT's eyes and they're going to go, "Oh, there is more coming.
7 This is -- has to be addressed." I mean, 44 and 90, at some
8 point, it's not designed for what's coming, what's growing, so,
9 you know, a big perspective.

10 And I was asked when I joined the Commission eight
11 years ago what my thought was. I think then the hot issue was
12 the RCD that allowed for green space but higher density in the
13 subdivisions and so forth, you know, and corridor was raised.
14 And I thought the idea of managing the growth and putting a lot
15 of the stuff that people want, the conveniences -- I mean, I
16 can't tell you how many time I go through my neighbor, walk my
17 dog, and I hear everyone, like, "When is Drug Mart going to
18 open?" You know, they don't want to go to Chardon, they don't
19 want to go to Mentor for some of the things that they have to
20 snake through traffic is worse. We put it closer, it's going
21 to be easier. It is going to force some of these things that
22 are problems to continue to get addressed, bring the
23 convenience, and we're confining the convenience to an area and
24 we're keeping a lot of these subdivisions in these outlying
25 areas of Concord totally the same. They're not changing.
26 They're staying the way they are. We're not changing the
27 entire township.

28 MR. FOX: In ten years that I have lived here, I have
29 noticed a marked increase in people walking up and down the
30 street, don't live there. And there is a new house that's

1 built, I think it was built by Auburn Career Center, so it's on
2 Auburn there. They were casing the place, I know that.
3 Anybody -- The guy across the street called the Sheriff's
4 Department on it. This has been increasing over the last
5 three, four years dramatically. This is not just a random act.
6 And it's spilling down from this stuff that's going on up here
7 on 44 and 90.

8 And I understand. I'm down with it. It doesn't
9 really bother me, you know. I listen to your words. Well,
10 they sound great but, you know, it's like, well, let's just
11 move a few drug addicts in the neighborhood. It's just one or
12 two. They're not going to affect the whole population. Then
13 all of a sudden, it spreads.

14 MR. PETERSON: Drug addicts can live in Quail Hollow.

15 MR. FOX: That's true. I understand all that. I am
16 just saying that when you start bringing in these high
17 density -- that's a nice word -- and these, these -- all of the
18 sudden they turn into Section 8. Next thing you know, they got
19 the relatives that are coming in. They're the drug addicts.
20 Next thing you know, the crime is going up. I see it all the
21 time. I work in Cleveland. I see the hustles. Come on.

22 CHAIRMAN LINGENFELTER: All right. Thank you for
23 your comment.

24 Okay. At this point, I'm going to end the public
25 comment section. Sir, you had a comment?

26 MR. KOERWITZ: Yeah, I had a question. I'm sorry.

27 CHAIRMAN LINGENFELTER: Okay. Well, I am going to
28 limit it to these last two questions and we're going to, we're
29 going to end the public comment. Okay. Come on up, sir, state
30 your name and address for the record, please.

1 MR. KOERWITZ: My name is Paul Koerwitz. I reside at
2 11555 Olde Stone Court. For the record, I've been a resident
3 of Concord for 46 years and I have seen change more than most
4 people have, including stop lights in places you never thought.
5 We didn't have stop lights.

6 What I don't see, and I've been through this Board
7 asking for rezoning proposals on business matters, what I have
8 not heard in all the conversations now or earlier is a real
9 reason to do this other than we want to change the text. We're
10 afraid of what might be coming. There is no developer asking
11 for anything. When a developer comes in and asks for
12 something, aren't you going to go through this process again?
13 That doesn't make sense, why we are doing this now just to
14 protect something that we don't --

15 MR. PETERSON: The RFP is going out --

16 MR. KOERWITZ: The boogeyman in the closet.

17 MR. PETERSON: The RFP is going out to the
18 developers.

19 MR. KOERWITZ: Okay. Based on the text?

20 MR. PETERSON: Based on this, yes.

21 MR. KOERWITZ: Right, right. So we are writing text
22 to send out to get proposals.

23 MR. PETERSON: Well --

24 MR. KOERWITZ: So we are looking to make something
25 happen.

26 MR. PETERSON: It would have to comply with this. It
27 would comply with this.

28 MR. KOERWITZ: So we are making that -- We're looking
29 to make something happen in this area.

30 MR. PETERSON: Yes. In a positive way, yeah.

1 MR. KOERWITZ: Okay. As opposed to letting it happen
2 organically?

3 MR. McINTOSH: There is --

4 MR. KOERWITZ: What's the reason for that?

5 MR. McINTOSH: There is --

6 MR. KOERWITZ: That has not been explained. Why are
7 we not looking for organic growth?

8 MR. McINTOSH: There's -- The Trustees go and
9 participate in conferences and discussion. There is, I mean,
10 we have Starbucks; and now that they're there, there is other
11 retail. I mean, there is interest in Concord in doing these
12 things. I mean, I would defer to them as far as specifics
13 about that sort of thing because that, that stuff tends to
14 slowly filter to us but, you know, we hear about people
15 expressing interest.

16 I mean, there is conversations we get that So and So
17 has made a request or is looking to do, you know, the nursing
18 homes. That stuff trickled in and then we end up with work.
19 So I can't say cite specifics but there are things that float
20 out there. There are people interested in doing projects like
21 this around this area.

22 MR. KOERWITZ: Okay. But they haven't come to the
23 body with it before going --

24 MR. McINTOSH: That's not their practice to come to
25 the Zoning Commission for that.

26 MR. PETERSON: They're asking for services.

27 MR. McINTOSH: They express interest to the township.
28 We hear about it from the Trustees and the office.

29 MR. KOERWITZ: Right. Like I said, I have been
30 through the process.

1 MR. McINTOSH: And so this stuff --

2 MR. KOERWITZ: A few of you were on the Board at the
3 time, so I understand that part of it. But if the developers
4 aren't coming in and asking you for it without sending RFPs to
5 get them --

6 MR. McINTOSH: No. I think what I'm saying, sir,
7 is --

8 MR. PETERSON: The residents are asking.

9 MR. McINTOSH: There are, there are interests in
10 people doing it.

11 MR. KOERWITZ: Then why aren't those people the ones
12 doing the presentation to modify the text?

13 MR. PETERSON: They're citizens. The citizens are
14 asking for services.

15 MR. KOERWITZ: The citizens.

16 MR. PETERSON: Trader Joe's, how many people have
17 said to me, "Why don't we get a Trader Joe's in here?" Maybe
18 we could, you know, maybe we could.

19 MR. MORGAN: And some of it has to do --

20 MR. KOERWITZ: Okay. But I don't understand --

21 MR. MORGAN: Some of it has to do with the current
22 economic situation and the developers and they're not willing
23 to come in and do -- The way they used to do it is come in and
24 make these requests.

25 MR. KOERWITZ: Right.

26 MR. MORGAN: Developers are no longer willing to do
27 that. Developers are looking for the areas that are already
28 planned and ready to go.

29 MR. KOERWITZ: That will, so we want --

30 MR. MORGAN: And then will come in --

1 MR. KOERWITZ: So we're trying to encourage that
2 growth?

3 MR. McINTOSH: We are trying to make it attractive to
4 developers to come in and bring something that we can put, you
5 know, that we can have --

6 MR. KOERWITZ: So the developers --

7 MR. McINTOSH: -- set standards.

8 MR. KOERWITZ: Are developers asking for us to add
9 another 320 housing units?

10 MR. PETERSON: Well, if you were a developer and you
11 were coming in here, you would do whatever it took to make --
12 If you were to invest millions, if, you would do -- you would
13 propose whatever you felt would make your project a success.
14 You might not want housing but --

15 MR. KOERWITZ: But I would propose it and ask for
16 what I was looking for.

17 MR. PETERSON: Well, you might not want housing in
18 there but you might, and so our regulations have to say that
19 you can have it.

20 CHAIRMAN LINGENFELTER: Okay. So what we're dealing
21 here, what we're dealing with a lot here was speculation.

22 MR. PETERSON: Yeah.

23 CHAIRMAN LINGENFELTER: Okay. People are speculating
24 that this could happen, that could happen, what if, what if.
25 We don't know all the answers. Okay? The best we can do is we
26 can craft the legislation that will make a clear path for a
27 developer to understand what he is able to do. But to
28 speculate beyond that --

29 MR. KOERWITZ: So, so we speculate --

30 CHAIRMAN LINGENFELTER: To speculate beyond that is

1 really, you know, well, this could happen, that could happen,
2 yes, that could happen and, then again, it could not. Okay?
3 This, this could continue --

4 MR. KOERWITZ: But are we speculating by the text
5 we're writing?

6 CHAIRMAN LINGENFELTER: The property owners, the
7 property owners that have the property in consideration for
8 this right now, somebody could come in tomorrow and propose a
9 light industrial/manufacturing facility or a distribution
10 facility and that would be well within the purview of the
11 zoning that's in existence and that project could start right
12 away. Okay? So all this is is another tool in the toolbox.
13 That's all it is.

14 MR. KOERWITZ: But we are taking away some of the
15 capabilities.

16 CHAIRMAN LINGENFELTER: We are not taking away
17 anything.

18 MR. McINTOSH: We're not taking away anything.

19 MR. PETERSON: It's still there. It's still there.

20 CHAIRMAN LINGENFELTER: We're not taking away
21 anything.

22 MR. PETERSON: This is an overlay. This is an
23 overlay.

24 MR. KOERWITZ: In front of what you are reviewing?

25 CHAIRMAN LINGENFELTER: It's an overlay proposal that
26 allows --

27 MR. PETERSON: Additional use.

28 CHAIRMAN LINGENFELTER: -- a developer to come in and
29 use this property in another way. It doesn't change the
30 underlying zoning. It doesn't change the existing uses that

1 the property owners have at their disposal. It keeps
2 everything in place.

3 MR. McINTOSH: More options.

4 CHAIRMAN LINGENFELTER: It's just another option.

5 MR. PETERSON: It's an option.

6 CHAIRMAN LINGENFELTER: It's nothing more. It's not
7 -- See, that's why I kind of took exception to the comments
8 that were made earlier about we were making a zoning change.
9 Okay? And you can maybe argue that point but it would, I
10 think, it kind of goes to the extreme. It's not a zoning
11 change, it's an additional option from a zoning standpoint to
12 use for use of this property.

13 MR. KOERWITZ: So you're adding on additional zoning
14 options without any request for it.

15 CHAIRMAN LINGENFELTER: Not zoning options. It's a,
16 it's a development. It's very specific. So even if -- You
17 have to remember --

18 MR. KOERWITZ: But it's a, it's a development
19 option --

20 CHAIRMAN LINGENFELTER: Right.

21 MR. KOERWITZ: -- that you are adding on without a
22 specific request.

23 CHAIRMAN LINGENFELTER: But you have to remember that
24 if somebody did want, if a developer came in and proposed this,
25 that's not the end of it. It's a conditional use. It's a prop
26 -- they would have -- There would be more conversations. The
27 Zoning, the Zoning Commission would have a lot of tools at
28 their, at their ready to make changes and have them change
29 their plans and we have a lot of ability to dictate what goes
30 on.

1 MR. KOERWITZ: So if we could do that --

2 CHAIRMAN LINGENFELTER: And then you can imagine --

3 MR. KOERWITZ: If we can do that --

4 CHAIRMAN LINGENFELTER: -- there's going to be
5 public, there's going to be a public portion for that.

6 MR. KOERWITZ: -- when they come in to make a
7 proposal --

8 CHAIRMAN LINGENFELTER: You know, that's not -- This
9 isn't something that's done behind closed doors. It's public.

10 MR. KOERWITZ: But if we can do that when they make a
11 proposal, why are we doing it before the proposal.

12 MR. McINTOSH: It doesn't mean --

13 MR. PETERSON: You've got, you've got to let them
14 know what the rules are so they can make the proposal, if they
15 want to do that.

16 CHAIRMAN LINGENFELTER: Yeah, yeah.

17 MR. KOERWITZ: But they're going to go back and ask
18 for changes to those rules.

19 CHAIRMAN LINGENFELTER: Maybe not.

20 MR. McINTOSH: What we're seeing is developers pass
21 on us because we don't --

22 MR. LUCAS: Gentlemen, gentlemen, this is the point
23 that the court reporter is trying to take down what is said.

24 CHAIRMAN LINGENFELTER: Right. I'm sorry.

25 MR. LUCAS: If it was lawyers doing a deposition, she
26 would have already said, "One at a time. I can't take down
27 everything."

28 CHAIRMAN LINGENFELTER: Right.

29 MR. PETERSON: Good point.

30 MR. KOERWITZ: So I guess what I am hearing and maybe

1 this is not clear to everybody, maybe I am the only one missing
2 this, we are now changing the rules to get the proposal to go
3 look for opportunities for them to come back and maybe change
4 the rules again, right?

5 CHAIRMAN LINGENFELTER: No.

6 MR. MORGAN: No.

7 CHAIRMAN LINGENFELTER: Not even close.

8 MR. McINTOSH: No.

9 CHAIRMAN LINGENFELTER: Sorry.

10 MR. KOERWITZ: Okay. But you just said that a
11 developer may come in and ask for changes, right?

12 MR. MORGAN: They may. They could always do that.

13 MR. KOERWITZ: Okay.

14 MR. MORGAN: Anybody can come in and ask for changes.

15 MR. PETERSON: You have to have a baseline. You have
16 a baseline, which is this rule back.

17 MR. KOERWITZ: And we are changing the baseline.

18 MR. PETERSON: No, no, we're not changing it.

19 MR. KOERWITZ: You have a baseline already, right?

20 MR. PETERSON: This was --

21 MR. KOERWITZ: You have zoning in place, correct?

22 MR. PETERSON: No. This is the zoning for that
23 district, okay, for that district, the overlay that we are
24 talking about. So these are the rules.

25 MR. KOERWITZ: The ones you're adding onto. You're
26 adding onto your overlay --

27 MR. PETERSON: We're giving these guys more options
28 to make money.

29 MS. JARRELL: Mr. Koerwitz, I'm going to speak out of
30 turn right here because I'm on the Board of Zoning Appeals. I

1 need to tell you -- Chris Jarrell, 10885 Bradley. I just want
2 to say that developers come in here all the time and ask for
3 variances.

4 MR. KOERWITZ: Right, correct.

5 MS. JARRELL: But this would allows us to --

6 CHAIRMAN LINGENFELTER: Okay. Hold on.

7 MS. JARRELL: -- facilitate.

8 CHAIRMAN LINGENFELTER: Hold on, hold on, hold on.

9 MS. JARRELL: To facilitate the development.

10 Developers always ask for issues. And I would say, on the most
11 part, we are very accommodating to the developers in the area.

12 CHAIRMAN LINGENFELTER: All right. Thanks, Chris.

13 Okay. At this point -- Okay.

14 MR. MONROE: Thank you.

15 CHAIRMAN LINGENFELTER: This is going to be the last.

16 This is going to be the last comment and we're going to bring
17 the --

18 MR. MONROE: It's very short.

19 CHAIRMAN LINGENFELTER: I don't see any value beyond
20 what's going on here and discussing.

21 MR. MONROE: Well, it's very important. We're
22 talking about my client's legal rights, okay, not wants, not
23 wishes, not desires. We are talking about my client's property
24 rights. Okay? So let's focus here on that for a minute. So
25 the first thing, I want to make it absolutely clear on the
26 record, the RFP better only be for the property owned by the
27 Concord Township Trustees. Okay? So it better not be for
28 property that the township does not own. Okay? We have
29 already crossed that bridge once. We were told that the RFP
30 was only for the seven acres. So if it's more than that, we

1 better find out about that.

2 Also, and this goes back to your point,
3 Mr. Lingenfelter, the request tonight for this whatever you
4 want to call it is for 107 acres, not 7 acres. So, obviously,
5 you are affecting our client's property.

6 I think, at least, four of you have made your
7 decision, so I don't want to belabor the point. But I do think
8 it's very distressing to hear things thrown around by the
9 Zoning Commission that is not correct. I heard one
10 commissioner saying tonight that zone -- industrial uses are
11 not going to happen. They are permitted --

12 MR. PETERSON: But they haven't.

13 MR. MONROE: -- by Resolution. They are permitted.

14 MR. PETERSON: I said they haven't happened.

15 MR. MONROE: Okay. They haven't happened yet, okay,
16 but I hope you are not predisposing yourself to some decision
17 you've already made.

18 Secondly, I heard, well, this is a conditional use.
19 It is not a conditional use. So please don't throw around that
20 term.

21 Finally, and I am just giving you something bigger to
22 think about. Zoning is about expectations. Our client bought
23 this property when -- it might have been before the zoning was
24 in place. But his idea was that it was going to be zoned semi
25 industrial. Okay? That was the expectations. Now you are
26 adding another permitted use. So whether you say it's changing
27 they're not -- the use or not, you are adding something that
28 wasn't permitted before. Okay? So that's an important
29 distinction. You have heard our client is opposed to it. If
30 you want to go forward, that's fine, but we have noted our

1 objection for the record.

2 CHAIRMAN LINGENFELTER: Yes, you have. Thank you.
3 Okay. At this point, I'm --

4 MR. HACH: Sir, I do have just on one point of
5 clarification. Tom Hach, 11575 Fay Road. There was
6 information that was provided at the question and answer that
7 was different there than here, and that was on the referendum.
8 It was stated over there that there could be, with the changing
9 of the text tonight, that there would be no ability for
10 referendum. You had stated otherwise. I would just like to
11 know what the answer is.

12 CHAIRMAN LINGENFELTER: No, in the process, in the
13 process.

14 MR. LUCAS: There is no referendum -- I will answer
15 that because it's a legal question.

16 CHAIRMAN LINGENFELTER: Right.

17 MR. LUCAS: And also because several people asked me
18 that tonight already.

19 MR. HACH: I'm sorry. I'm not sure I'm fully
20 tracking.

21 MR. LUCAS: Yes.

22 MR. HACH: There is no opportunity for referendum --

23 MR. LUCAS: Not, not through the action here at the
24 Zoning Commission.

25 CHAIRMAN LINGENFELTER: Right.

26 MR. LUCAS: They're a recommending body.

27 CHAIRMAN LINGENFELTER: Right.

28 MR. LUCAS: And as I mentioned this to Vanessa
29 earlier before the meeting began, they recommend either to
30 approve the amendments, they recommend against the amendments

1 or they can modify, right? But they're just a recommending
2 body. It goes up to the Board of Trustees. The Board of
3 Trustees then schedules a public hearing, much like this
4 meeting, people come and speak for or against it. Then they,
5 at the conclusion of the public hearing, they have a designated
6 period of time in which to make a decision.

7 So let's assume, for the sake of the referendum
8 issue, they all decide we're going to vote in favor of all
9 these amendments at the Trustee level. Now that's when the
10 referendum is triggered. You have 30 days from -- I'm sorry.
11 It goes into effect within 30 days unless somebody files a
12 petition for referendum, in which case that would, the issue,
13 assuming that the referendum requirements are properly met,
14 that goes on the ballot then and that's when the township
15 electorate as a whole gets to vote in favor of it or against
16 it.

17 MR. HACH: Okay. So there is no loss of that ability
18 for a referendum?

19 MR. LUCAS: I beg your pardon?

20 MR. HACH: There is no loss of the ability to pursue
21 a referendum.

22 CHAIRMAN LINGENFELTER: No.

23 MR. LUCAS: No. I think you are thinking about it, I
24 think, prematurely.

25 CHAIRMAN LINGENFELTER: Right.

26 MR. LUCAS: It doesn't go in --

27 MS. PESEC: But not --

28 MR. LUCAS: I am sorry. I didn't meet to interrupt
29 you, Vanessa.

30 MS. PESEC: Go ahead, go ahead, proceed. Thank you.

1 MR. LUCAS: Very good. You can weigh in on your
2 legal view on it.

3 MS. PESEC: That's right, that's right.

4 MR. LUCAS: Okay. I think the referendum here
5 doesn't exist.

6 CHAIRMAN LINGENFELTER: Right.

7 MR. LUCAS: The refer -- because it's, nothing
8 happens. They are just recommending it.

9 CHAIRMAN LINGENFELTER: Right.

10 MR. LUCAS: If all the amendment process is approved
11 at the Trustee level after a public hearing, then the
12 referendum process begins.

13 CHAIRMAN LINGENFELTER: Right.

14 MR. LUCAS: Assuming, again, that the referendum
15 requirements are met, it is placed on the ballot.

16 Now, just as an editorial aside, having been legal
17 counsel here for 20 years, if there is one group of citizens
18 that knows how to mount a referendum, it's the Concord Township
19 residents. So -- And they're extremely experienced at it.
20 Sometimes, as was mentioned earlier, they voted down what was
21 previously approved and sometimes they voted in favor of what
22 was previously approved.

23 But the important point, I think, in terms of what
24 you were asking me is, it is triggered only after the Trustees
25 complete the public hearing and then vote what they want to do
26 with the amendments.

27 CHAIRMAN LINGENFELTER: Right.

28 MR. LUCAS: Okay?

29 MR. HACH: Okay. Thank you for the clarification.

30 MR. LUCAS: You are welcome.

1 CHAIRMAN LINGENFELTER: Yeah, sure. Does that answer
2 your question?

3 MR. HACH: Yes.

4 MR. LUCAS: Vanessa, if you want to add anything that
5 I have may have stated incorrectly, feel free.

6 MS. PESEC: I would just like to state that the
7 referendum potential dies once this zoning text is approved.

8 MR. LUCAS: Right.

9 MS. PESEC: Because all of the plans that they come
10 in with, like a PUD, we can referendum them. But in this case,
11 all the plans that the developers come in with are not
12 referendutable per this overlay district.

13 MR. LUCAS: The overlay district, if it's challenged
14 by a referendum --

15 MS. PESEC: Cannot -- Right. But once it's in, when
16 a developer comes in with a plan and is approved by the
17 Trustees, it is not referendutable.

18 MR. LUCAS: That is correct.

19 CHAIRMAN LINGENFELTER: Right.

20 MS. PESEC: See, I knew we'd agree.

21 MR. LUCAS: I feel like I'm going to sleep like a
22 baby.

23 CHAIRMAN LINGENFELTER: Okay. So, at this point, we
24 are going to end the public discussion part of this public
25 hearing. Do you have -- Does anybody on the Board have any
26 questions at this point or anything they would like to discuss
27 further? Rich?

28 MR. PETERSON: No, I really don't. As I mentioned,
29 the residents I have talked to have all been in favor of it.
30 I've had residents actually call me to tell me they were in

1 favor of it. So the negativity that I heard came via emails
2 that were sent to me. That's all.

3 CHAIRMAN LINGENFELTER: Gerry.

4 MR. PETERSON: And I do want to say one thing. John,
5 I am not saying you can't develop that industrial. I am just
6 saying --

7 MR. MONROE: Okay, good.

8 MR. PETERSON: I want to make that clear.

9 MR. MONROE: That's what I heard.

10 MR. PETERSON: No. It's been zoned, it's been zoned
11 that way for so long, it just hasn't happened. And unless you
12 know something that I don't, I don't think there is anything on
13 the horizon.

14 MR. MONROE: We could argue why that's the case.

15 MR. PETERSON: Okay.

16 MR. MONROE: But I will leave that for another day.

17 MR. PETERSON: Okay. But just I want to be clear.

18 CHAIRMAN LINGENFELTER: Gerry?

19 MR. MORGAN: I have nothing.

20 CHAIRMAN LINGENFELTER: Morgan, any comments?

21 MR. McINTOSH: No, I think, other than the things I
22 said earlier. I will say that I also received some phone calls
23 and some communication in walking my dog in my neighborhood,
24 all in favor of what we're doing. I was told that it was, a
25 couple times, that it was forward thinking and so forth. So I
26 have, I have heard some support in addition to the opposition I
27 heard tonight.

28 CHAIRMAN LINGENFELTER: Frank, any comments?

29 MR. SCHINDLER: Well, I did get a phone call and the
30 gentleman asked me to enter his name into the minutes as a

1 matter of record. It was a Dan Melik, lives on Winchell Road,
2 and he is in favor of the township center.

3 MR. PETERSON: That's Dan Lilly.

4 CHAIRMAN LINGENFELTER: Yeah.

5 MR. SCHINDLER: Lilly?

6 MR. PETERSON: Lilly.

7 MR. SCHINDLER: Well, I couldn't tell on my answering
8 machine, so sorry about that. But you know him, okay. Then
9 that's what it is and that's who it is.

10 CHAIRMAN LINGENFELTER: Mike?

11 MR. LUCAS: No. Oh, sorry.

12 (Whereupon, brief discussion was held off the
13 record.)

14 CHAIRMAN LINGENFELTER: Okay. Are there any other
15 comments from the Board members regarding this proposal?
16 Anybody else have anything to say?

17 I've kind of held off, listened a little bit to
18 everybody, and I have some pretty strong opinions on this
19 issue, too. I've been in the township for getting on 30 years,
20 twenty -- '88, we moved in, so next year it will be 30 years.
21 And I too have seen quite a bit of change in the township and
22 some of it's been good. I think, for the most part, it's been
23 good.

24 And when I see these issues come up, it always
25 becomes a very contentious issue because, obviously, people
26 become very interested. When things involve, like, "high
27 density" gets thrown around and development and more people, it
28 becomes very contentious.

29 And I've been on the Zoning Commission for almost 20
30 years, so I've got a lot of experience with handling these

1 types of issues and dealing with this. And I can say, you
2 know, quite frankly, that everything that we've ever done as a
3 Board has always been, you know, with the best interest of the
4 township in mind. We don't think locally based on different
5 housing developments or, you know, people that are going to be,
6 that are going to be around the particular area that are going
7 to be affected. We try to think of it as an entire township.

8 And when we come to these decisions, it is not
9 something that we just take lightly. I think we deliberate a
10 lot. We have a very hard working zoning staff that puts
11 together a lot of information, does a ton of research, provides
12 us with credible amounts of information so that we can, you
13 know, deliberate this in a, in a fair way and give deference to
14 all the different opinions on this. And we openly discuss this
15 and there's a lot of things that we discuss and we don't always
16 agree. We just don't. I mean, sometimes we have split
17 decisions on this stuff.

18 I think, you know, in this case, I think it's very
19 clear. You know, I mean, you can't always take the loud, the
20 loud minority that wants to voice their opinions and say that
21 that represents the entire feeling of the township. It always
22 doesn't. There is a lot of people that live in the township,
23 16 -- what is it, 16,000 or what --

24 MR. PETERSON: Nineteen.

25 CHAIRMAN LINGENFELTER: Nineteen thousand people live
26 in the township now and we've had 80 or 90 people here tonight.
27 That hardly represents the majority. Okay? And we run in the
28 same -- We tend to run in the same circles with people that
29 think like us, so a lot of times we don't hear other, you know,
30 dissenting opinions. So we just -- We think that, you know,

1 what we think everybody else thinks and that's not always
2 necessarily the case.

3 But, you know, I have some concerns about this
4 development, I really do. And some of the housing component of
5 this bothers me. I am not real in favor of that. I would
6 rather see the development stand on its own merits based on the
7 development of the property and with the retail component
8 without the residential. However, I see that point of the
9 argument with -- and it's a pretty clear trend that's
10 developing for including the housing component to go along with
11 all the other parts of the development.

12 So in that regard, it's an overlay, what I consider
13 to be an overlay. I consider it to be another tool for the,
14 for the township. And I think that, for the most part, even
15 though I have a lot of reservations and I think that there has
16 been some good points that have been brought up through this
17 process about it, I think that, overall, it's a good plan for
18 the, for the township and I think it's a good, forward thinking
19 plan and I think there is a lot of opportunity here for the
20 township moving forward.

21 And I think that, when we have taken on these kind of
22 projects, we have deliberated that and we have thought about
23 the impact and I think that we've discussed that and I think
24 the Board members here and some of the other folks at the
25 township know where I have stand on this. I have voiced my
26 opinion on it more than one.

27 So here we are. We are at a point now where we need
28 to make a decision on this. There has been a lot of work
29 that's gone into it. There has been a lot of discussions and
30 we've had a public hearing now and, you know, I think we are

1 ready to move forward.

2 So what I would like to do right now is I would like
3 to close the public hearing. Okay? And then what I would like
4 to do is I would like to go amendment by amendment. I would
5 like a motion with the amendment, read the amendment and then,
6 you know, move forward and vote on each one. So I will take a
7 motion to close the public hearing.

8 MR. McINTOSH: Mr. Chairman, I move that we close the
9 public hearing.

10 CHAIRMAN LINGENFELTER: A motion has been made.

11 MR. PETERSON: I'll second.

12 CHAIRMAN LINGENFELTER: Seconded, okay. All in favor
13 of closing the public hearing say "aye." Opposed "no"?

14 MR. SCHINDLER: Opposed, no.

15 CHAIRMAN LINGENFELTER: Opposed, one opposed. Okay.
16 So we have four ayes and one nay. Let the record reflect that.

17 (Four aye votes, one nay vote.)

18 CHAIRMAN LINGENFELTER: Okay. So what I would like
19 to do is, at this point, is move amendment by amendment. We
20 have 13 amendments to vote on. We'll do a voice. I want to do
21 a voice roll, Heather, for each amendment. So what I'll do is
22 I will entertain a motion in the affirmative per the amendment,
23 read it, then we'll take a second and then we'll take a voice
24 vote.

25 Let's start with Amendment Number 1. I will
26 entertain a motion.

27 MR. McINTOSH: Mr. Chairman, I move to pass the
28 Amendment 1, amendment to Zoning Resolution to establish the
29 Innovative Site/PD Overlay District as planned development in
30 the Section 21, and delete in its entirety Section 13.36,

1 Innovative Site/PD as a continual use in the Capital District.

2 CHAIRMAN LINGENFELTER: A motion has been made. Can
3 I have a second?

4 MR. LUCAS: Well, Mr. Chairman, that incorporates --

5 CHAIRMAN LINGENFELTER: Yes.

6 MR. LUCAS: Excuse me. -- incorporates Amendment 1
7 and Amendment 5. Amendment 1 is limited to simply establishing
8 Section 21, the Innovative Site/PD Overlay District.

9 CHAIRMAN LINGENFELTER: Okay.

10 MS. FREEMAN: No.

11 MR. McINTOSH: Do you need me to amend that motion
12 then, stopping --

13 CHAIRMAN LINGENFELTER: Wait a minute.

14 MR. LUCAS: Isn't Amendment -- Heather, isn't
15 Amendment 5 the Section 13.36?

16 MS. FREEMAN: Amendment 1 as is Morgan stated, it's
17 establishing Section 21 and deleting, at the same time,
18 Section 13.36.

19 MR. LUCAS: Oh, okay. I apologize.

20 CHAIRMAN LINGENFELTER: So we good, Mike?

21 MR. LUCAS: Yep, you are good.

22 CHAIRMAN LINGENFELTER: Okay. So we have a motion
23 made and a second.

24 MR. PETERSON: Second.

25 CHAIRMAN LINGENFELTER: The motion has been made and
26 seconded. Heather, would you call the roll?

27 MS. FREEMAN: Mr. Morgan?

28 MR. MORGAN: Yes.

29 MS. FREEMAN: Mr. Schindler?

30 MR. SCHINDLER: No.

1 MS. FREEMAN: Mr. Peterson?
2 MR. PETERSON: Yes.
3 MS. FREEMAN: Mr. McIntosh?
4 MR. McINTOSH: Yes.
5 MS. FREEMAN: Mr. Lingenfelter?
6 CHAIRMAN LINGENFELTER: No.
7 Amendment Number 2.
8 MR. McINTOSH: Mr. Chairman, I move to amend the
9 Zoning Map to rezone the following presently designated parcel
10 numbers to the Innovative Site/PD Overlay District: Parcel
11 Number 08-A-020-0-00-027-0, 08-A-020-0-0-00-022-0,
12 08-A-020-0-00-020-0, 08-A-020-0-00-006-0, and the same parcel
13 number all the way up to the last four digits would be 021-0,
14 and then following into the same last four 00-0 -- or 007-0,
15 then 08-A-777-0-00-028-0, then the following same as the
16 previous with the following four being 027-0, and then
17 08-A-020-A-00-015-0, 08-A-020-A-00-014-0, and then the same
18 again as the last four being 008-0, and again the same last
19 four being 013-0, and then 08-A-777-0-00-029-0, and
20 08-A-020-A-00-005-0, and a portion of 08-A-020-A-00-010-0
21 further as described in Exhibit A.
22 CHAIRMAN LINGENFELTER: Okay. A motion has been
23 made. Can I have a second?
24 MR. PETERSON: Second.
25 CHAIRMAN LINGENFELTER: Motion has been made and
26 seconded. Heather, call the roll, please.
27 MS. FREEMAN: Mr. Peterson?
28 MR. PETERSON: Yes.
29 MS. FREEMAN: Mr. Schindler?
30 MR. SCHINDLER: No.

1 MS. FREEMAN: Mr. Morgan?
2 MR. MORGAN: Yes.
3 MS. FREEMAN: Mr. McIntosh?
4 MR. McINTOSH: Yes.
5 MS. FREEMAN: Mr. Lingenfelter?
6 CHAIRMAN LINGENFELTER: No.
7 Amendment Number 3.
8 MR. PETERSON: Mr. Chairman, I make a motion to
9 approve Amendment Number 3. Revise Section 5.02 to include new
10 definitions for terms related to parking and revise others.
11 MR. MORGAN: Second.
12 CHAIRMAN LINGENFELTER: I have a second. Second has
13 been made. Heather, call the roll.
14 MS. FREEMAN: Mr. Lingenfelter?
15 CHAIRMAN LINGENFELTER: Yes.
16 MS. FREEMAN: Mr. McIntosh?
17 MR. McINTOSH: Yes.
18 MS. FREEMAN: Mr. Peterson?
19 MR. PETERSON: Yes.
20 MS. FREEMAN: Mr. Schindler?
21 MR. SCHINDLER: Yes.
22 MS. FREEMAN: Mr. Morgan?
23 MR. MORGAN: Yes.
24 CHAIRMAN LINGENFELTER: Okay. Amendment Number 4.
25 MR. PETERSON: Mr. Chairman, I make a motion to
26 approve Amendment Number 4. Revise Section 11.01 to require
27 zoning permits for porches and retaining walls that require a
28 permit from the Building Department. Revise to include
29 reorganization of the existing sections and headings.
30 CHAIRMAN LINGENFELTER: Okay. A motion has been

1 made. Can I have a second?

2 MR. MORGAN: Second.

3 CHAIRMAN LINGENFELTER: Motion has been made and
4 seconded. Heather, call the roll, please.

5 MS. FREEMAN: Mr. McIntosh?

6 MR. McINTOSH: Yes.

7 MS. FREEMAN: Mr. Peterson?

8 MR. PETERSON: Yes.

9 MS. FREEMAN: Mr. Schindler?

10 MR. SCHINDLER: Yes.

11 MS. FREEMAN: Mr. Morgan?

12 MR. MORGAN: Yes.

13 MS. FREEMAN: Mr. Lingenfelter?

14 CHAIRMAN LINGENFELTER: Yes.
15 Amendment Number 5.

16 MR. PETERSON: Mr. Chairman, I make a motion to
17 approve Amendment 5. Revise Sections 13.07, 13.08, 13.11,
18 13.12, 13.16 to reference compliance with all parking
19 regulations in Section 29. Revise Sections 13.17, 13.25,
20 13.26, and 13.28 for compliance with the waiting space
21 requirements in Section 29.

22 CHAIRMAN LINGENFELTER: I have a motion made.

23 MR. McINTOSH: Second.

24 CHAIRMAN LINGENFELTER: Seconded. Heather, call the
25 roll, please.

26 MS. FREEMAN: Mr. Peterson?

27 MR. PETERSON: Yes.

28 MS. FREEMAN: Mr. Schindler?

29 MR. SCHINDLER: Yes.

30 MS. FREEMAN: Mr. Morgan?

1 MR. MORGAN: Yes.

2 MS. FREEMAN: Mr. McIntosh?

3 MR. McINTOSH: Yes.

4 MS. FREEMAN: Mr. Lingenfelter?

5 CHAIRMAN LINGENFELTER: Yes.

6 Amendment Number 6.

7 MR. PETERSON: Mr. Chairman, I make a motion to

8 approve Amendment Number 6. Revise Section 15.03(I) to require

9 that all residential districts comply with the parking

10 regulations in Section 29. Modify Section 15.05 to clarify

11 that minimum "residential" floor area and enclosed parking

12 requirements are set forth in Table 15.05-1, and enclosed off-

13 street parking is regulated in Section 29.

14 CHAIRMAN LINGENFELTER: I have a motion made.

15 MR. McINTOSH: Second.

16 CHAIRMAN LINGENFELTER: Seconded. Heather, call the

17 roll.

18 MS. FREEMAN: Mr. Peterson?

19 MR. PETERSON: Yes.

20 MS. FREEMAN: Mr. Schindler?

21 MR. SCHINDLER: Yes.

22 MS. FREEMAN: Mr. Morgan?

23 MR. MORGAN: Yes.

24 MS. FREEMAN: Mr. McIntosh?

25 MR. McINTOSH: Yes.

26 MS. FREEMAN: Mr. Lingenfelter?

27 CHAIRMAN LINGENFELTER: Yes.

28 Amendment Number 7.

29 MR. McINTOSH: Mr. Chairman, I move, I move for

30 Amendment 7. Revise Section 16.07(C) to reference Section 13

1 for the conditional use permit for a commercial center, and
2 site plan review is required for a commercial center. Modify
3 Section 16.08 and 16.09 to require a commercial center in a PUD
4 to meet the requirements of Section 29, Off-Street Parking.
5 Revise zoning permit process in Section 16.15 to reference
6 Section 11. Clarify Section 16.16 for minor or major
7 modifications to an improved development plan. Revise
8 Section 16.24(C)(4) to require a landscape plan to be submitted
9 for any open during disturbed -- disturbed area during
10 construction.

11 CHAIRMAN LINGENFELTER: I have a motion made.

12 MR. PETERSON: Second.

13 CHAIRMAN LINGENFELTER: Seconded. Heather, call the
14 roll, please.

15 MS. FREEMAN: Mr. Schindler?

16 MR. SCHINDLER: No.

17 MS. FREEMAN: Mr. Morgan?

18 MR. MORGAN: Yes.

19 MS. FREEMAN: Mr. Lingenfelter?

20 CHAIRMAN LINGENFELTER: Yes.

21 MS. FREEMAN: Mr. McIntosh?

22 MR. McINTOSH: Yes.

23 MS. FREEMAN: Mr. Peterson?

24 MR. PETERSON: Yes.

25 CHAIRMAN LINGENFELTER: Okay. Amendment Number 8.

26 MR. PETERSON: Mr. Chairman, I make a motion to
27 approve Amendment Number 8. Revise Section 22.03 to remove
28 drive-thru facilities, Innovative Site/PD Townhouses and
29 Live/Work Units as conditional uses within the Capital
30 District. Revise Section 22.09 to include regulations for

1 maintenance of unimproved areas, watercourses and stormwater
2 facilities. Delete Section 22.10 Capital District Standards.

3 CHAIRMAN LINGENFELTER: We have a motion made.

4 MR. McINTOSH: Second.

5 CHAIRMAN LINGENFELTER: Seconded. Heather, call the
6 roll.

7 MS. FREEMAN: Mr. McIntosh?

8 MR. McINTOSH: Yes.

9 MS. FREEMAN: Mr. Peterson?

10 MR. PETERSON: Yes.

11 MS. FREEMAN: Mr. Schindler?

12 MR. SCHINDLER: No.

13 MS. FREEMAN: Mr. Morgan?

14 MR. MORGAN: Yes.

15 MS. FREEMAN: Mr. Lingenfelter?

16 CHAIRMAN LINGENFELTER: Yes.

17 Amendment Number 9.

18 MR. McINTOSH: Mr. Chairman, I move to pass
19 Section -- Amendment Number 9. Revise Section 29.01 to add new
20 purpose statements related to green infrastructure, reducing
21 impervious surfaces in parking areas. Revise Section 29.02
22 Applicability, 29.03 General Standards, 29.04 Off-Street
23 Parking, and 29.05 Alternative Parking Options, 29.06 Parking
24 Lot Designation Standards, 29.07 Parking Lot Access Drive
25 Regulations, and 29.08 Bicycle Parking and Waiting Space
26 Requirements.

27 CHAIRMAN LINGENFELTER: I have a motion made.

28 MR. PETERSON: Second.

29 CHAIRMAN LINGENFELTER: Seconded. Heather, call the
30 roll, please.

1 MS. FREEMAN: Mr. Morgan?
2 MR. MORGAN: Yes.
3 MS. FREEMAN: Mr. Schindler?
4 MR. SCHINDLER: Yes.
5 MS. FREEMAN: Mr. Peterson?
6 MR. PETERSON: Yes.
7 MS. FREEMAN: Mr. McIntosh?
8 MR. McINTOSH: Yes.
9 MS. FREEMAN: And Mr. Lingenfelter?
10 CHAIRMAN LINGENFELTER: Yes.
11 Amendment Number 10.
12 MR. PETERSON: Mr. Chairman, I make a motion to
13 approve Amendment Number 10. Revise Section 34.02 to require
14 that all properties not agriculturally exempt to obtain a
15 zoning permit for construction of fences.
16 CHAIRMAN LINGENFELTER: I have a motion made.
17 MR. McINTOSH: Second.
18 CHAIRMAN LINGENFELTER: Seconded. Heather, call the
19 roll, please.
20 MS. FREEMAN: Mr. Peterson?
21 MR. PETERSON: Yes.
22 MS. FREEMAN: Mr. Schindler?
23 MR. SCHINDLER: Yes.
24 MS. FREEMAN: Mr. Morgan?
25 MR. MORGAN: Yes.
26 MS. FREEMAN: Mr. McIntosh?
27 MR. McINTOSH: Yes.
28 MS. FREEMAN: Mr. Lingenfelter?
29 CHAIRMAN LINGENFELTER: Yes.
30 Amendment Number 11.

1 MR. McINTOSH: Mr. Chairman, I approve -- make a
2 motion to approve Amendment 11. Revise Section 36.03 to
3 require all site plans to be reviewed by Zoning Commission.
4 Revise Section 36.04 Required Site Plan to be Submitted. New
5 Section 36.09 Significance of an Approval for Final Site Plan.
6 Revise Section 36.11 to add new standards for minor and major
7 modifications.

8 CHAIRMAN LINGENFELTER: I have a motion made.

9 MR. MORGAN: I'll second.

10 CHAIRMAN LINGENFELTER: Seconded. Heather, call the
11 roll, please.

12 MS. FREEMAN: Mr. McIntosh?

13 MR. McINTOSH: Yes.

14 MS. FREEMAN: Mr. Peterson?

15 MR. PETERSON: Yes.

16 MS. FREEMAN: Mr. Schindler?

17 MR. SCHINDLER: Yes.

18 MS. FREEMAN: Mr. Morgan?

19 MR. MORGAN: Yes.

20 MS. FREEMAN: Mr. Lingenfelter?

21 CHAIRMAN LINGENFELTER: Yes.

22 Amendment Number 12.

23 MR. PETERSON: Mr. Chairman, I make a motion to
24 approve Amendment 12. Revise Section 37 to include references
25 to the IS/PD Overlay District. Include new Sections 37.06,
26 Pedestrian Facilities and Section 37.07 Maximum Setback and
27 Wall Orientation for "Concord Circle" Frontages.

28 CHAIRMAN LINGENFELTER: A Motion made.

29 MR. McINTOSH: Second.

30 CHAIRMAN LINGENFELTER: Seconded. Heather, call the

1 roll, please.

2 MS. FREEMAN: Mr. McIntosh?

3 MR. McINTOSH: Yes.

4 MS. FREEMAN: Mr. Peterson?

5 MR. PETERSON: Yes.

6 MS. FREEMAN: Mr. Schindler?

7 MR. SCHINDLER: Yes.

8 MS. FREEMAN: Mr. Morgan?

9 MR. MORGAN: Yes.

10 MS. FREEMAN: Mr. Lingenfelter?

11 CHAIRMAN LINGENFELTER: Yes.

12 Okay. Amendment Number 13.

13 MR. McINTOSH: Mr. Chairman, I move that we approve

14 Amendment 13. Revise Section 38.02 Applicability,

15 Section 38.03 General Requirements, Section 38.05 Interior

16 Parking Lot Guidelines, and other sections to refer to the

17 IS/PD Overlay District.

18 CHAIRMAN LINGENFELTER: I have a motion made.

19 MR. PETERSON: Second.

20 CHAIRMAN LINGENFELTER: Seconded. Heather, call the

21 roll, please.

22 MS. FREEMAN: Mr. Lingenfelter?

23 CHAIRMAN LINGENFELTER: Yes.

24 MS. FREEMAN: Mr. McIntosh?

25 MR. McINTOSH: Yes.

26 MS. FREEMAN: Mr. Peterson?

27 MR. PETERSON: Yes.

28 MS. FREEMAN: Mr. Schindler?

29 MR. SCHINDLER: Yes.

30 MS. FREEMAN: Mr. Morgan?

1 MR. MORGAN: Yes.

2 CHAIRMAN LINGENFELTER: Okay. That wraps up that
3 part of the public hearing. We will forward this on, right, to
4 the Trustees?

5 MR. LUCAS: Wraps up the public meeting in terms of
6 that on the agenda.

7 CHAIRMAN LINGENFELTER: Okay. All right. Number --
8 Item Number 2, correspondence report by the Zoning Commission
9 members. Any correspondence?

10 MR. PETERSON: Only those that I have already
11 discussed.

12 CHAIRMAN LINGENFELTER: Right. Gerry?

13 MR. MORGAN: I have none.

14 MR. McINTOSH: The ones I have previously mentioned.

15 CHAIRMAN LINGENFELTER: Right. Frank?

16 MR. SCHINDLER: And my phone call I mentioned.

17 CHAIRMAN LINGENFELTER: Yeah. Mr. Lilly called me
18 also. We had a conversation.

19 MR. SCHINDLER: Oh, he did?

20 CHAIRMAN LINGENFELTER: Yeah. He said he was going
21 to call everybody.

22 MR. SCHINDLER: Yeah.

23 CHAIRMAN LINGENFELTER: He wasn't sure if he was
24 going to be able to make it tonight, so he said that he voiced
25 his favor, in favor of the zoning text and said that he was
26 going do reach out to rest of the Zoning Commission as well. I
27 think he said he had already talked to a couple of the
28 Trustees. So we are all squared away there. So that was the
29 only call. That was the only call I got. I didn't receive any
30 other correspondence, which was kind of surprising to me.

1 MR. SCHINDLER: Yeah, me too.

2 CHAIRMAN LINGENFELTER: I was really thinking I was
3 going to get inundated with questions and phone calls and I
4 didn't really hear much of anything from anybody. I was kind
5 of surprised.

6 So Item Number 3 on the agenda is the approval of the
7 minutes of the July 11, 2017, meeting.

8 MR. PETERSON: Mr. Chairman, I make a motion to
9 approve the minutes of the July 11, 2017, meeting as written.

10 CHAIRMAN LINGENFELTER: A motion has been made.

11 MR. MORGAN: Second.

12 CHAIRMAN LINGENFELTER: Seconded. All in favor say
13 "aye." Opposed? None opposed. Let the record reflect the
14 vote.

15 (Five aye votes, no nay votes.)

16 CHAIRMAN LINGENFELTER: Item Number 4 on the agenda,
17 the next meeting for the Zoning Commission will be September 5,
18 2017. You good with that? Do we have any items coming up,
19 Heather?

20 MS. FREEMAN: Not as of now, no, we don't have any
21 items.

22 CHAIRMAN LINGENFELTER: We could have saved some of
23 this for the next meeting. See, we shot it all tonight.

24 All right. So with that said, I appreciate all the
25 people that came tonight and gave their input, the citizens of
26 the township, and I appreciate the opportunity to chair this
27 meeting and we will adjourn. Thank you.

28 (Whereupon, the meeting was adjourned at 10:40 p.m.)

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STATE OF OHIO)
COUNTY OF CUYAHOGA)

CERTIFICATE

I, Melinda A. Melton, Registered Professional Reporter, a notary public within and for the State of Ohio, duly commissioned and qualified, do hereby certify that, to the best of my ability, the foregoing proceeding extension reduced by me to stenotype shorthand, subsequently transcribed into typewritten manuscript; and that the foregoing is a true and accurate transcript of said proceedings so taken as aforesaid.

I do further certify that this proceeding took place at the time and place as specified in the foregoing caption and extension completed without adjournment.

I do further certify that I am not a friend, relative, or counsel for any party or otherwise interested in the outcome of these proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office this 30th day of August 2017.

Melinda A. Melton
Registered Professional Reporter

Notary Public within and for the
State of Ohio

My Commission Expires:
February 4, 2018