

CONCORD TOWNSHIP BOARD OF ZONING APPEALS  
LAKE COUNTY, OHIO  
REGULAR MEETING

Concord Town Hall  
7229 Ravenna Road  
Concord, Ohio 44077

September 13, 2017  
7:00 p.m.

TRANSCRIPT OF PROCEEDINGS

Board of Zoning Appeals members present:

Ivan Valentic, Chairman  
Blair Hamilton  
Todd Golling, Alternate  
James Rowe, Alternate

Also Present:

Stephanie Landgraf, Esq., Legal Counsel  
Heather Freeman, Zoning Director/Zoning Inspector  
Sydney Martis, Planner/Assistant Zoning Inspector

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

1 7:01 p.m.

2 CHAIRMAN VALENTIC: The Board of Zoning Appeals for  
3 September 13, 2017, is now in session. I would like to  
4 introduce my Board. To my left is Jim Rowe. I'm Ivan  
5 Valentich. To my right is Todd Golling and Blair Hamilton. To  
6 my far right is Heather Freeman, our Township and Zoning  
7 Inspector.

8 Under the advice of counsel, we ask that anyone  
9 tonight -- anyone speaking tonight must be sworn in. So if you  
10 plan on speaking, please stand up. If you -- If there is just  
11 a chance you might have something to say, I just ask you to  
12 please stand up right now and just get sworn in. Thank you,  
13 everybody.

14 (Whereupon, the speakers were sworn en masse.)

15 CHAIRMAN VALENTIC: Thank you. Please be seated.  
16 This evening when presenting your case or commenting, please  
17 come to the microphone, state your name and address for the  
18 record. Okay? And, again, just everyone please come up to  
19 the microphone, no one talk out loud. Give everyone their  
20 chance to present.

21 Heather, were the legal notices published in a timely  
22 manner?

23 MS. FREEMAN: Yes, they were.

24 CHAIRMAN VALENTIC: Okay. Tonight we have two  
25 conditional use permits. A three-vote majority is required to  
26 either approve or deny the appeal. If a request is denied, you  
27 have the right to file an appeal. If that's the case, Heather  
28 can help you. Okay. This evening we are missing a Board  
29 member, so a three-vote majority will be required from the four  
30 members here.

1           So the first conditional use permit is Number 2017-5,  
2 Mr. Andy Cihla, RLA of Fanney Howey Associates, is requesting a  
3 conditional use permit for an elementary school in accordance  
4 with Section 13.05 and 13.10 for the Riverside Local School  
5 District Board of Education for the property located at  
6 12428 Concord-Hambden Road and being Permanent Parcel  
7 Number 08-A-002-0-00-026-0.

8           Please come up to the podium. Name and address,  
9 please, for the record.

10          MR. CIHLA: It's Andy Cihla, at 4930 Bradenton  
11 Avenue.

12          CHAIRMAN VALENTIC: Okay. Mr. Cihla, really quick,  
13 since we don't have five members of the Board up here, you have  
14 the right to postpone your conditional use permit to next month  
15 or you can decide if you want to move forward with the four  
16 members here, still requiring, you know, the three vote  
17 majority. How would you like to proceed?

18          MR. CIHLA: Move forward.

19          CHAIRMAN VALENTIC: Move forward?

20          MR. CIHLA: Yeah.

21          CHAIRMAN VALENTIC: Okay. Thank you. Go ahead and  
22 present your conditional use permit.

23          MR. CIHLA: Should I present the site plan to you or  
24 to the room?

25          CHAIRMAN VALENTIC: To the Board up here, please.

26          MR. CIHLA: Okay, okay. All right. I want to start  
27 by just introducing myself. Andy Cihla, a landscape architect  
28 for Fanney Howey, the architecture firm working with Riverside  
29 Local School District on the two new elementary schools.

30          And this specific site, what we have is a 15-acre

1 site with a roughly 73,000 square foot school, and it will be  
2 located in an R-4 Residential District. We're applying for a  
3 conditional use permit for a school to be located there, and it  
4 is a permitted use, per Section 13.10.

5 And just a quick run-through of the site, the  
6 building, we have it centrally located on the site. It's  
7 within the building setback line of 50 feet from the right-of-  
8 way and then all of the surrounding property lines. We have  
9 two entry points for separate circulation for buses and cars,  
10 one to the north, one to the south. It is around 800 lineal  
11 feet of frontage along Concord-Hambden Road, 127 parking spaces  
12 that are split between the north and the south end of the site.  
13 And we've worked that out with Zoning to get to that number.  
14 Let's see. We've had a traffic impact study conducted on the  
15 site. We've been working with ODOT, the EPA, any authority  
16 having jurisdiction, also some upcoming meetings with the Fire  
17 Department.

18 At this stage of the project, we're at schematic  
19 design. And with these projects there's three phases,  
20 schematic design, design development and construction  
21 documents. So we're relatively early in the planning process.  
22 We're calling this the conceptual site plan because we're still  
23 making small changes here and there to the site layout.

24 Let's see. And then stormwater wise, we have it  
25 noted on the plan. We have some dry detention basins. We'll  
26 be handling the stormwater on the site and releasing it at the  
27 same rate it was released before development, and that goes  
28 through EPA, of course, and Lake County Stormwater.

29 And, lastly, we just want to say that -- let's see --  
30 the use of the site as an elementary school is consistent with

1 the general standards and is a permitted conditional use in an  
2 R-4 District. And at that, I would like to bring Laura Kuns up  
3 to talk about the sewage treatment portion of the project. Is  
4 that okay?

5 CHAIRMAN VALENTIC: Sure.

6 MS. MARTIS: Do you want me to stand up here and  
7 click through?

8 MS. KUNS: Yeah. If you can do that, sure.

9 MS. FREEMAN: Let me put this down while you are  
10 presenting.

11 MS. KUNS: My name is Laura Kramer Kuns and I serve  
12 as an environmental consultant -- I am an LLC -- and I am  
13 working for the Riverside School District.

14 CHAIRMAN VALENTIC: And you've been sworn in this  
15 evening?

16 MS. KUNS: Yes, when we all stood up.

17 CHAIRMAN VALENTIC: Thank you.

18 MS. KUNS: Go ahead. Basically, the part of the  
19 project that I'm working on has to do with wastewater  
20 treatment. And, basically, for whether it's a commercial  
21 building or a school -- or a school or an office building or a  
22 house, you either have a choice between sanitary sewers or an  
23 on-site sewage treatment system. So, basically, the role that  
24 I help to play here was to determine the feasibility of  
25 sanitary sewers, to see if that was possible. And if not, to  
26 submit a site evaluation request to the Ohio EPA to determine  
27 whether an on-site sewage treatment would be feasible.

28 I had several meetings, correspondence, phone  
29 conversations with Randy Rothlisberger -- he is the Lake County  
30 sanitary engineer -- regarding sanitary service for the school

1 on Concord-Hambden Road. The Lake County Department of  
2 Utilities' regulations require that sanitary sewer service must  
3 follow the most current General Master Sanitary Plan. The most  
4 current plan for where this property is located would require  
5 the construction of a pump station on Concord-Hambden near  
6 Alexander Road, installation of a sanitary sewer on Concord-  
7 Hambden Road with significant local sanitary sewer construction  
8 in order to service the elementary school at its current  
9 location. Based on all of those factors, it was determined  
10 that sanitary service is not available to the -- to that  
11 property at this point in time.

12 So the next step was, what do we do with the sewage  
13 treatment system? So the process, in order to meet Ohio EPA  
14 Permit to Install Guidelines, is you first have to have a soil  
15 evaluation. That was conducted by NEOSoils on January 7th. I  
16 was also present during the soil evaluation and that was  
17 performed by a certified soil professional.

18 Then, at that point, the soil report, topography and  
19 information on the applications was submitted to Ohio EPA. I  
20 prepared those and submitted those to Ohio EPA. The next step  
21 after that is for Ohio EPA to come out to the site and do a  
22 site review. And present during the site review, I was  
23 present, Ohio EPA Jennifer Bennage and Lake County General  
24 Health District was Dan Sinclair.

25 After Ohio EPA did their evaluation both at the site  
26 and then reviewing the documents that were submitted to them,  
27 they determined that the soils on site were acceptable for an  
28 on-site sewage treatment system. And when I say "on-site," the  
29 system is made to dissipate, treat the sewage on site and  
30 dissipate it into the soil, not discharge it into the waters of

1 the state.

2 We also did a water use review of the current schools  
3 in the district and of some LEED, new LEED schools. And LEED  
4 is a -- it's an internationally recognized certification  
5 program for green building and it's leadership and energy and  
6 engineering design. And so when you build those kinds of  
7 schools, obviously, you have low-use fixtures and those kinds  
8 of things. So we looked at some existing schools that are  
9 within the -- built within the last couple of years to see what  
10 kind of actual numbers water use they had, and we also utilized  
11 the data that we had from the existing elementary schools that  
12 are in the district. And after submitting all that information  
13 to Ohio EPA, they authorized a design flow of 8 gallons per  
14 person per day in the school. Okay?

15 So the next step from there is, basically, to  
16 determine what the design of the system is going to be, and  
17 that has been a cooperative between myself and Hess  
18 Engineering. They are doing the engineering design and I am  
19 working very closely with them. And in order to come up with a  
20 proper design, there are several sets of regulations and  
21 guidance documents that you must follow with Ohio EPA. There  
22 is the Ohio Administration Code 3745-42, that's an Ohio EPA  
23 regulation; there is a design standards guidance document they  
24 call the Green Book for systems under 100,000 gallons per  
25 sewage per day; and then there is an interim sewage treatment  
26 guidance document for an on-site system that doesn't discharge  
27 into a stream or a watercourse; and then there's a guidance  
28 document for drip distribution systems.

29 So, basically, at this point the conceptual design  
30 for the system is pretreatment with drip distribution mounds,

1 not unlike several of the systems that are out in Concord just  
2 on a smaller scale for lots of houses that are out there.

3 And, basically, what will happen is, once the plans  
4 are drafted, all of this will be submitted in a submission to  
5 Ohio EPA which is called the PTI submission, Permit to Install.  
6 They review all of the documents and then they determine  
7 whether or not the documents meet all the criteria and that the  
8 system meets the criteria.

9 Basically, for this particular -- well, for both of  
10 the elementary schools, we are going with primary treatment  
11 that is a little bit different than what folks are used to. We  
12 know that there is concern about potential noise and odors from  
13 a traditional package treatment plant, which is an aerobic  
14 treatment unit. This particular treatment system will be an  
15 aerobic system but it will be an easy-treat recirculating  
16 system with synthetic filter pods and recirculation pump tanks,  
17 septic tanks. There will be an oil and grease separator.  
18 That's required for all commercial buildings.

19 And then, basically, the treatment in these units are  
20 fixed film. Bacteria grows on the synthetic material and that  
21 breaks down and that reduces your BOD -- I had a typo there --  
22 suspended solids and your fecal bacteria. It's much quieter  
23 than a typical aeration system because the only time it's  
24 running is when the recirculation pump kicks on to dose the  
25 filters. It is not something that runs 24/7, which is typical  
26 of a normal aeration treatment unit.

27 It is also in pods and it has -- they have covers on  
28 them, so we don't anticipate that there is going to be odors.  
29 When the system is running well, there is not odors anyway.  
30 But it is the nature of how it's constructed, it does help keep

1 down any potential for odors.

2           The soil absorption part of the system: After it  
3 goes through that treatment, it's going to go out into drip  
4 distribution on sand mounds. There are several, several sand  
5 mounds that will be on the property. They will be low profile.  
6 Drip distribution works in the soils that we have in Lake  
7 County because it is time microdosing. It puts out water on a  
8 timed cycle in very small doses that gives you very good  
9 treatment and it helps you disburse water into some of the more  
10 challenging soils that we have.

11           There also are replacement areas that are adjacent to  
12 all of these mounds on the plans. That's a requirement by Ohio  
13 EPA so that in the future, should you have a problem with one  
14 of the mounds, you have an area that you can put in a  
15 replacement mound.

16           There will be an interceptor drain on the high side  
17 of this, of the entire sewage system to get any, any kind of  
18 sheet flow and divert it away from the system because you only  
19 want to treat sewage, you don't want to treat rain water.

20           And the system will be installed by registered Lake  
21 County installers that have experience in drip distribution.  
22 Wouldn't want it any other way. These are people who've been  
23 working on drip since drip came to Lake County.

24           Just -- This is a little bit technical but not too.  
25 Just to show you, there are two 5,000 gallon septic tanks;  
26 there are two -- there is a 5,000 gallon flow equalization  
27 tank; and you have two recirculating tanks, 3,000 gallons each.  
28 And, basically, then they dose the two little green squares.  
29 Those are the treatment pods. That's where your synthetic  
30 filters are. So once it goes through that part of the system,

1 if you look at the numbers here, the incoming water, BOD and  
2 suspended solids, 250, 180, and it reduces it down to 10, 12.  
3 That is made for discharging into the waters of the state but  
4 we're not doing that, we're discharging into the soil.

5 That's just an illustration of what those pods look  
6 like. There will be soil that will come up on the sides but  
7 you can see the tops, the covers on the tops. And then this is  
8 -- Well, it's a little different than the drawing, probably,  
9 that Andy has here but this just gives you a conceptual on  
10 where the sewage system is. The pretreatment would be up in  
11 the corner there on the top in the green square and then your  
12 drip mounds would be going down the hillside there.

13 CHAIRMAN VALENTIC: Is this more up to date than the  
14 drawing that we have there?

15 MS. KUNS: Well, this is just on the -- This was  
16 focused on the sewage, so I can't really speak to --

17 CHAIRMAN VALENTIC: Well, the --

18 MS. KUNS: It's probably older than the drawing that  
19 Andy has.

20 MR. CIHLA: They're pretty similar, yeah.

21 CHAIRMAN VALENTIC: The sewage, I guess, the  
22 pretreatment, I think, when I look at the two, I think they're  
23 in different locations. That's why I asked.

24 MR. GOLLING: Yeah, they are.

25 MS. KUNS: Yeah. And that --

26 CHAIRMAN VALENTIC: Unless I am reading upside down.

27 MS. KUNS: And that could change again. Up on the  
28 top there, that will just be a, a function of where we want the  
29 piping to come out and where -- Is it going to hug this side or  
30 be a little more central? That, really, it will be up on that

1 -- in that area up there because we want to stay on topography  
2 with the drip mounds.

3 Do you have any questions?

4 CHAIRMAN VALENTIC: I probably -- I have a quick  
5 question. Can you just go back to why this storm -- or the  
6 waste, the sanitary sewer doesn't work? I mean, you talked  
7 about the plan that's in place and the pump station and the  
8 extension that would be needed, but a little bit more detail on  
9 why that option was eliminated, very quickly.

10 MS. KUNS: Well, you can correct me if I am wrong,  
11 Randy, but basically you're talking about a pump station, if my  
12 memory serves, is over a million dollars, and then you're  
13 talking about major sewer infrastructure. You know, those of  
14 you that are from Concord, you know about the bedrock we have,  
15 especially in some of those areas there. So you've got the  
16 potential for bedrock coming down Concord-Hambden, so you are  
17 talking about an expensive install of a major sanitary sewer.  
18 You're talking millions of dollars here.

19 And Ohio EPA, their first thing that they do when  
20 they do their site review is they determine whether or not  
21 there is a way for the school to get into the, to the sanitary  
22 sewer. And they determined that it wasn't feasible because of  
23 the huge amount of infrastructure that would have to be  
24 constructed and the huge cost for only one end user along,  
25 along that path. You're talk -- I don't remember how many  
26 miles or feet it is but I know that it's well over 3,000.

27 CHAIRMAN VALENTIC: Okay. Todd, do you have a  
28 question?

29 MR. GOLLING: I am good.

30 MS. KUNS: Anything else?

1           CHAIRMAN VALENTIC: No, hold on. I do have maybe  
2 another question then for you. So the primary pretreatment,  
3 that -- the covered thing that's required.

4           MS. KUNS: The pods.

5           CHAIRMAN VALENTIC: And the pods and everything.  
6 We're in the SD phase. So what happens when we get to DD or CD  
7 phase and costs start to shake out and things need to get cut  
8 or deleted? Is this system -- Will this system change to  
9 something different?

10          MS. KUNS: No.

11          CHAIRMAN VALENTIC: Or is this the system that is  
12 going forward?

13          MS. KUNS: The reason -- This system, actually, it  
14 uses less energy, so it really kind of works well in the whole  
15 LEED certification that I know that the schools would be  
16 looking to get in terms of ener -- you know, building green.  
17 So that system uses less energy. It gives you better treatment  
18 than some of the conventional ATUs out there. It's quieter.  
19 It's cleaner. I don't see that changing. That's what we have  
20 gotten an app -- an acceptance from Ohio EPA on, both  
21 easy-treat and drip distribution mounds. They have already, in  
22 essence, okayed the use of that particular treatment train.

23          CHAIRMAN VALENTIC: Okay.

24          MS. KUNS: So I don't see that changing.

25          CHAIRMAN VALENTIC: Okay.

26          MS. KUNS: Anything else?

27          MR. GOLLING: As far as the sound goes, I'm normally  
28 down at LaMuth and I am familiar with the --

29          MS. KUNS: I am sure you -- yes. It is not at all  
30 like the package plant at LaMuth. This system is not going to

1 be running all the time. What makes noise at a traditional  
2 aerobic plant is the aerator motor.

3 MR. GOLLING: Right.

4 MS. KUNS: This is a fixed film type of treatment,  
5 not an aerobic, mixed liquor type of treatment. So it's a  
6 whole different type of aerobic treatment, and so the only time  
7 there's really noise is when that recirculation pump kicks on  
8 and doses those filters.

9 MR. GOLLING: Do you know by the decibel level at  
10 all, when it's running, how loud is it?

11 MS. KUNS: Quite frankly, you're not going to hear  
12 those pods unless you're right next to them.

13 MR. GOLLING: Okay.

14 CHAIRMAN VALENTIC: Okay.

15 MS. KUNS: And the drip system, that's, that's in the  
16 ground. You are not going to hear that.

17 CHAIRMAN VALENTIC: So the, the rectangles out there,  
18 that's, that's the mounds and the drip system, correct?

19 MS. KUNS: The green up there, that's -- that would  
20 be your treatment, your -- the easy-treat pods.

21 CHAIRMAN VALENTIC: The pretreatment.

22 MS. KUNS: And then these, these orangy, pinkish rec  
23 -- long, skinny rectangles are your, are your drip zones, and  
24 there will be different sizes depending on the topography.

25 CHAIRMAN VALENTIC: Right. That makes sense.

26 MS. KUNS: That's why they're not uniform.

27 CHAIRMAN VALENTIC: So what do they -- So what can be  
28 done out there? I mean, you are going to have moguls out  
29 there. Is there any use that the school could use that area or  
30 should kids stay away from that?

1 MS. KUNS: Unfortunately, the kids aren't going to be  
2 able to go run and play on them.

3 CHAIRMAN VALENTIC: Okay.

4 MS. KUNS: Because the tubing is in the mound, in the  
5 tops of the mounds and you will have some topsoil cover and  
6 grass. They won't be able to run around on them like a  
7 traditional leach field.

8 MR. GOLLING: Is there any danger of anyone falling  
9 into the --

10 MS. KUNS: Into anything, no.

11 CHAIRMAN VALENTIC: Okay. Do you have --

12 MS. KUNS: No. There would be a fence around the  
13 treatment pods and the mounds are just little humps in the  
14 ground. There is nothing open.

15 Anything else?

16 MR. ROWE: No, thank you.

17 MS. KUNS: Okay.

18 CHAIRMAN VALENTIC: Thank you.

19 I do have a question on the, on the site plan,  
20 Mr. Cihla. Can you walk through -- Put that, please put that  
21 back up and just walk us through where the buses come in and  
22 out versus cars and the circulation on the site.

23 MR. CIHLA: Yeah. And we are still working on which,  
24 if the buses are going to use the north or the south loop.  
25 Currently, it's designed to handle the traffic at either. So  
26 buses can use the top. I have it shown at the north end of the  
27 site for now but, again, we're in DD and that could, that could  
28 easily change.

29 CHAIRMAN VALENTIC: There is some residential  
30 properties around the site. And you started to allude to some,

1 some landscape, and I am sure there is some concerns to  
2 adjacent properties. You know, what would, we're not -- This  
3 isn't site plan review but, you know, for us to determine if we  
4 want to grant the conditional use permit, what can we expect  
5 for screening along the property boundaries? You know, are we  
6 clearing the whole site? Are we, you know, saving some trees?  
7 Are we supplementing trees? Where are we putting in fencing or  
8 other opportunities?

9 MR. CIHLA: Yeah. So the landscaping that we'll be  
10 adding will just meet the minimums for the zoning, so screen  
11 the parking lots. Along Concord-Hambden Road we'll have some  
12 mounding and, again, the trees and shrubs required by zoning,  
13 you know, so many trees and so many shrubs per lineal foot.  
14 And then dumpster enclosure, service yard, you know, those will  
15 be screened as well. But as far as the finer details for that,  
16 that would kind of come out in the site plan review.

17 CHAIRMAN VALENTIC: Okay.

18 MR. CIHLA: And then to speak to the trees on site  
19 currently, I mean, the majority of the trees will be downed to  
20 fit the school and the parking lots and the sewage treatment  
21 system. We will save trees where we can but, for grading  
22 operations, we will probably be losing most of the trees.

23 CHAIRMAN VALENTIC: Are you familiar with our  
24 riparian setback ordinance here?

25 MR. CIHLA: Yes.

26 CHAIRMAN VALENTIC: Does that impact your mounds in  
27 the --

28 MR. CIHLA: No.

29 CHAIRMAN VALENTIC: -- in the stream and the wetland  
30 there?

1 MR. CIHLA: I don't believe so. Are you talking the  
2 wetland area in the back?

3 CHAIRMAN VALENTIC: Yeah, in the corner.

4 MR. CIHLA: Yeah, we'll be -- We will meet the  
5 minimum setback for grading from there as well. We will  
6 probably actually exceed that because we want to stay as far  
7 back from that as possible.

8 CHAIRMAN VALENTIC: Yeah. When I looked at the map,  
9 I don't believe I saw the -- I saw the wetland but I wasn't  
10 sure if you had actually shown what the actual buffers are for  
11 the stream.

12 MR. CIHLA: Yeah, yeah, it should be a 50 foot  
13 buffer. I believe the minimums is 25.

14 CHAIRMAN VALENTIC: Okay.

15 MR. CIHLA: But we'll be at least 25, probably closer  
16 to 50 off of that. And with the sewage treatment system, we  
17 won't be doing any grading on that back portion of the site.  
18 The grades have to stay as is. So other than the mounding for  
19 the system itself, the trees will be downed but there will be  
20 no grading operations on that whole back half of the site.

21 CHAIRMAN VALENTIC: Have you guys -- I'm not -- Have  
22 you guys done this kind of system for a school in the past?

23 MR. CIHLA: No.

24 CHAIRMAN VALENTIC: No.

25 MR. CIHLA: I don't believe, no.

26 MS. KUNS: There are -- Oh, if you want me to --

27 CHAIRMAN VALENTIC: Yeah.

28 MS. KUNS: There are several schools in northeastern  
29 Ohio that have --

30 MR. CIHLA: Yeah, but Fanny Howey --

1 MS. KUNS: -- drip systems.

2 MR. CIHLA: -- to my knowledge, hasn't done one.

3 CHAIRMAN VALENTIC: Yeah.

4 MS. KUNS: I know they're out there. We looked at  
5 some of their, some of their plans and had discussion with EPA  
6 about those systems.

7 CHAIRMAN VALENTIC: Okay.

8 MS. KUNS: It's not new.

9 CHAIRMAN VALENTIC: Anyone else have any questions?

10 MR. ROWE: No.

11 CHAIRMAN VALENTIC: On the Board?

12 MR. GOLLING: I am good right now. Thank you.

13 MR. ROWE: It's all consideration so far.

14 CHAIRMAN VALENTIC: Okay. You can be seated.

15 MR. CIHLA: Do you want me to move this off to the  
16 side so it's not in the way or --

17 CHAIRMAN VALENTIC: Sure, you can move it off to the  
18 side for now.

19 Is there anyone else that's here speaking for or  
20 against the appeal that would like to come up and say anything?  
21 This is your opportunity.

22 MS. GRETCHEN SKOK: Did you say for?

23 CHAIRMAN VALENTIC: For or against the appeal, if you  
24 would like to come up --

25 AUDIENCE MEMBER: We've got some against over here.

26 MS. GRETCHEN SKOK: Yeah. Anybody that wants --

27 CHAIRMAN VALENTIC: Anybody that wants to come up,  
28 we'll just form a line and give everyone a chance to say their  
29 piece.

30 MR. CIHLA: Okay.

1 MR. HAMILTON: Mr. Chairman, can we, can we hear  
2 those pros first so we have a separation between the pro and  
3 the con?

4 CHAIRMAN VALENTIC: Sure, that's fine.

5 Ma'am, just hold on one second.

6 MS. GRETCHEN SKOK: Sure.

7 CHAIRMAN VALENTIC: Is there anyone else for the  
8 appeal that would like to come up? Okay.

9 MR. HAMILTON: Thank you.

10 MS. GRETCHEN SKOK: Okay. Good evening, everybody.  
11 Hi, everybody. I am Gretchen Skok. I live at 12550 Concord-  
12 Hambden. So we are five lots --

13 CHAIRMAN VALENTIC: And you've been sworn in?

14 MS. GRETCHEN SKOK: I have been sworn in, yes, sir.

15 CHAIRMAN VALENTIC: Thank you.

16 MS. GRETCHEN SKOK: We are five lots southeast on  
17 Concord-Hambden from the proposed site. This evening, I am  
18 speaking -- speaking on behalf of myself and my mother, Linda  
19 Skok, who is right there. The good thing about being a senior  
20 is you get your kids to do all your dirty work for you. So she  
21 is not interested in public speaking but my sentiments are her  
22 sentiments. We have two homes at 12550 Concord-Hambden Road.

23 I want to first say that I support the schools. I  
24 supported the levy. I voted for it. I think investment in  
25 schools is some of the most important things we can do in our  
26 community. Okay? And I truly mean that because I'm a college  
27 professor. That's how I make my living. I have Riverside  
28 students. They put out a great product. They should have new  
29 schools. However, I'm here tonight because the school's choice  
30 of location is inappropriate and irresponsible.

1           Why do I think that? Thank you. Those are my  
2 neighbors. Why do I think that? So, you know, I'm an --  
3 Actually, one of my master's degrees is in economic  
4 development. So I spent 20 years, before I started teaching,  
5 in economic development. So I was actually a staff member on  
6 Painesville City BZA and the Planning Commission for a number  
7 of years. So how I prepared my argument is based on your  
8 criteria within your CUP guidelines. Okay? So my arguments  
9 are to five specific criteria. Okay?

10           So if I could begin, one of the criteria is, will be  
11 designed, constructed, operated and maintained so as to be  
12 harmonious and appropriate in appearance with the existing or  
13 intended character of the general vicinity, and that such will  
14 not change the essential character of the neighborhood. So if  
15 I could also quickly read from your code, directly from the  
16 Concord code, according to Section 15.01, the purpose of the  
17 R-4 Residential District, where we live, is to maintain the  
18 lower density character of Concord, and I quote, "a  
19 predominance of rural residential and agricultural character  
20 with significant areas of woodland, floodplain and steep  
21 slopes." Okay?

22           So the character of our neighborhood is rural. It  
23 set says it in the code. Any of us would agree that it's a  
24 rural area. Many of us moved here because we want to escape  
25 the lights, the traffic, the noise. Okay? A school is a  
26 commercial use. It is a commercial use. It is a business.  
27 Yeah, we're in the business of education but it's a business.  
28 People work there. It brings lights, it brings delivery  
29 trucks, it brings traffic, noise, okay, again to this rural  
30 area.

1           I shared the design with a very reputable engineering  
2 and design company in Lake County and I was told that the most  
3 striking point about this design is its an urban design. So I  
4 ask the gentleman. I said, "Well, what does this mean, an  
5 urban design?" He said, "Well, clear-cutting of trees" --  
6 okay, maybe they'll save two or three -- "clear-cutting of  
7 trees, no preservation, an incredible amount of impervious  
8 surfaces." Approximately two-thirds of that 15 acres is going  
9 to be an impervious surface between streets, parking, the  
10 rooftops, et cetera, 74,000 square feet of building, two  
11 stories. Minimal landscaping, as the gentleman just stated,  
12 they're doing the minimum. Okay? We're not getting anything  
13 beyond that. We're getting the minimum.

14           So, basically, in conclusion for that criteria, I  
15 think it fundamentally changes the essential character of the  
16 this neighborhood, given the urban design, okay, and the basic  
17 fact that a school is a commercial use.

18           Number two criteria, will not be disturbing to  
19 neighborhood uses. So I am pulling to this traffic study on  
20 this here. If we develop this as homes -- and I am being very  
21 liberal here -- you could maybe get 12 to 15 homes on that  
22 site. Okay? Now, I am not a traffic expert but maybe you  
23 would have, you know, 10 trips, 12 trips per home, so you're  
24 talking 100 to 150 trips if we were to develop this as housing.  
25 Their study has 618 to 812 car -- excuse me -- traffic trips a  
26 day, car trips a day. That is huge. That is huge. We already  
27 have issues where we are, and we're rural. What is this going  
28 to mean, you know, to the traffic in our area?

29           And a side note, I felt the -- their application was  
30 a bit confusing as a reader. And I want to point out this

1 study is not yet complete. They state that there is not a need  
2 for a turning lane, there aren't needs for extra, you know,  
3 lights, all of that. That has not been approved by ODOT. I  
4 received confirmation yesterday from Myron Pakush, who runs the  
5 district in northeast Ohio. ODOT has not signed off on this.  
6 It's simply in draft form. Okay? Nothing has been determined  
7 from ODOT. They need, you know, the process is they need to  
8 confirm that.

9 In addition, it's not disturbing to neighboring uses.  
10 Noise, oh, my goodness. I love children. I have two of them  
11 at home. They're wonderful but they're loud. Just imagine up  
12 to 625, in addition to cars and deliveries, okay, and potential  
13 septic noise.

14 The plans for the sewer, I would like to discuss that  
15 under another criteria.

16 Night lighting, okay, 365 days a year. They want to  
17 protect their property. They don't want people to deface it.  
18 They will be lighting 365 days a year. Now, it states in the  
19 application "minimize light glare." Forgive me, folks, but  
20 that's an oxymoron. Lighting is a pollution. Okay? They will  
21 be lighting 15 acres to protect their property. I can't -- I  
22 mean, they should do that. They should try to protect their  
23 property. But the poor folks right next door, the poor folks  
24 right next door.

25 AUDIENCE MEMBER: Yes.

26 AUDIENCE MEMBER: Amen to that.

27 MS. GRETCHEN SKOK: Again, on this disturbing the  
28 neighboring uses, schools are a public place to congregate,  
29 unlike a business, okay, so a business with, oh, just the  
30 people working there, their deliveries, et cetera. A school is

1 a public place to congregate. It brings events. It brings  
2 people coming to the playground. Okay? These belong in  
3 locations that are closer to commercially zoned. Look at  
4 Auburn Career Center, look at St. Gabriel's School that we have  
5 here. Those are closer -- They're in commercial areas where  
6 it's appropriate to have these public places to congregate.

7 Also, we're very concerned about stormwater in our  
8 area. We've had stormwater issues for years. I -- What I  
9 heard tonight is not very conclusive as to how they're doing  
10 anything with stormwater. We have a number of issues where we  
11 live with regards to that, so I am concerned about that.

12 The third criteria says, will be served adequately by  
13 essential public facilities. Okay. So you heard they're not  
14 tapping into the sewer. My mother owns a fresh water spring  
15 five, okay, lots from here where we received our water. I  
16 mean, I lose so much sleep at night wondering about  
17 contamination of my water. Now, they say, "Hey, it's this, you  
18 know, a great system. This will work." Mechanics fail.

19 AUDIENCE MEMBER: Yes.

20 MS. GRETCHEN SKOK: Anybody who tells you mechanics  
21 don't fail is lying to you.

22 CHAIRMAN VALENTIC: Excuse me. Excuse me. I just --  
23 Please, if the audience could just remain quiet as every  
24 individual comes up and talks so they can give their message to  
25 the Board, I'd appreciate that.

26 MS. GRETCHEN SKOK: So we're very concerned about  
27 that. So as a result, we wrote a letter, my mother wrote a  
28 letter to Ohio EPA, as you heard, which regulates this. Okay?  
29 We received a scary response. But, firstly, I will also say  
30 that I called the Health Department about this. I spoke with a

1 Dan Sinclair. He told me that the Health Department receives  
2 numerous complaints from neighborhoods that are new on-site  
3 sewage treatment systems, okay, and that it's a significant  
4 issue. Okay? Even in the drip systems, they receive  
5 complaints about odors.

6 So we expressed concerns about odors to the Ohio EPA.  
7 They told us, and I quote, okay, "When properly operated it  
8 emits a musty smell." So I don't know about any of you but a  
9 musty smell is not a good smell. Okay? If you look up the  
10 synonyms: moldy, dank and stale. Okay? That's what we're  
11 going to get in our neighborhood. And of course there is going  
12 to be a smell. It's the excrement from 650 people. Okay?

13 Concord currently has 23 on-site sewage treatment  
14 systems. I received that from the Lake Health Department.  
15 Only two are in R-1 and R-4 zoning. Okay? You know the one in  
16 R-1 zoning, that's a residential zoning, that's LaMuth. Okay?  
17 So we heard tonight it's not really comparable. By the way,  
18 it's a 220 percent increase of land over there. They have a  
19 lot more land, okay, so potentially there is less issues.

20 The only other commercial septic is actually close to  
21 us by the Cleveland Ski Club. As you all know, I mean, it's  
22 just like one that they go out and pump. I mean, there's like  
23 nothing going on there. It is not repetitive mounds, okay,  
24 going on.

25 So this is really out of the ordinary, incredibly out of the  
26 ordinary.

27 Again, I asked the Health Department about this, Dan  
28 Sinclair. He's never seen anything like this, okay, this  
29 amount of mounding. Okay? He could not point to anything in  
30 Lake County. Perhaps it's, according to Ms. Kuns, it's in

1 northeast Ohio but we do not have anything the amount of this  
2 nearby.

3           Number -- The fourth criteria -- And I am sorry.  
4 I'll wrap this up. And I'm sorry I'm being long but I'm  
5 passionate about this. This is my neighborhood. This is my  
6 home. Okay? Number 4, will not result in the destruction,  
7 loss or damage of a natural feature. They are clear-cutting  
8 this property. That is a natural feature. They are taking  
9 down all of those trees with the exception of a few.

10           Other residential developments, when they maximize  
11 the use of their property, like where Summerwood, where these  
12 folks live, they had to conserve. They had to conserve, when  
13 they developed it, to the max capacity. Okay?

14           And an interesting fact, in the Ohio Schools  
15 Facilities Commission, they have a design manual that these  
16 folks, I am sure, are looking to when they are making their  
17 design, and it actually states "a predominantly" -- and I quote  
18 -- "a predominantly wooded site on which the majority of trees  
19 will need to be renewed -- removed is not favorable" when it  
20 comes to their site location. Okay?

21           And, lastly, number fifth criteria, it will not be  
22 disturbing to the existing and future use and enjoyment of  
23 property. Again, I point to the lights 365 days a year at  
24 night, the significant traffic increase that we are going to  
25 see -- instead we could have homes there and have probably a  
26 tenth of the traffic; noise; the commercial use; again, the  
27 fact that it is a public place of congregation; and the  
28 impervious surfaces.

29           So for these reasons, I see that there is no argument  
30 that they can make to state that they reach the criteria that

1 Concord set forth for a change of use, for a conditional use  
2 permit. There is no way that they meet this. Again, this  
3 is -- The biggest investment we have in this room are our  
4 homes, you know. Millions of dollars we have put into our  
5 homes, and what will this mean to us as a neighborhood? We  
6 were here first.

7 You know, I think the schools, they said nothing  
8 about how this is a hardship for them. There are other places  
9 they can go. They came to the site knowing they couldn't get  
10 sewer. Okay? They, they know the challenges here. There are  
11 other sites they could have chosen where there are sewers.  
12 There are other sites. You can't tell me there aren't other  
13 sites, you know, in the Riverside district that they couldn't  
14 locate. I think it's appropriate and responsible that they  
15 choose another site. Thank you.

16 CHAIRMAN VALENTIC: Does anyone have any questions?

17 MR. GOLLING: Gretchen.

18 MS. GRETCHEN SKOK: Yeah?

19 CHAIRMAN VALENTIC: Can you please come up?

20 MR. GOLLING: On this map, do you live right down  
21 here?

22 MS. GRETCHEN SKOK: We live at the bottom of the  
23 hill.

24 MR. HAMILTON: They live at the bottom of the hill.

25 MR. GOLLING: Bottom of the hill.

26 MS. GRETCHEN SKOK: And we own all up to Big Creek  
27 Valley Farm. We own all of it to Winchell Road. That's where  
28 our spring is, Winchell Road.

29 MR. GOLLING: Gotcha. Thank you.

30 CHAIRMAN VALENTIC: Any other questions for her? No?

1 Good?

2 MR. ROWE: Yes.

3 CHAIRMAN VALENTIC: Anyone else speaking against the  
4 appeal that would like to come up?

5 MR. BYRD: Yeah. My name is Richard Byrd. My  
6 girlfriend and I live at 12396 Summerwood Drive. So --

7 CHAIRMAN VALENTIC: And you've been sworn in, sir?

8 MR. BYRD: Yes, sir.

9 CHAIRMAN VALENTIC: Go ahead.

10 MR. BYRD: We believe that this is going to have a  
11 negative impact on us and the surrounding, the surrounding  
12 neighbors, and I would like to ask that you don't approve this  
13 until there is, there is more definition here. It just when we  
14 purchased our house on Summerwood about three years ago, I very  
15 anally, like, checked out all the zoning that was around us and  
16 I talked to, like, Bruce -- I think he was a former employee in  
17 the Zoning -- and I made sure that, you know, where we were  
18 going to live, you know, our house was, was not going to  
19 change. You know, we love, like, the quiet and serenity of the  
20 back yard. We sit in our back yard at night and there is no  
21 lights. The house blocks the street lights from the street.  
22 We can just hear the wind, you know, blowing through the trees  
23 and, you know, this is, this something we, this is something we  
24 enjoy.

25 In their conditional use permit, you know, they're  
26 saying it does not present a hazard or a disruptive to  
27 neighbors. And I can't -- I just, I don't see that because our  
28 house is located right here by this ball field. So it's like  
29 right in this corner here. And I walked out into this wooded  
30 area where this is going to be and every single tree, like, as

1 far as I ventured to go right across this property line is all  
2 marked with like blue Xs for removal. And this line right  
3 here, this ball field, it goes over into the 50 foot setoff,  
4 the setback and it's right there. There is a, there is a very  
5 small green zone or buffer zone right there but 25, 30 feet,  
6 it's not much. There may be one major tree there.

7 So if you clear-cut all of this area right here,  
8 we're going to see the ball field, we're going to hear the ball  
9 field. We're going to see the road where the buses come in. I  
10 see, you know, no landscaping. I can see no protection. I  
11 see -- Basically, I don't see anything in this plan that is  
12 going to protect us against noise, smell or sound.

13 I was, I was under the impression that the Concord  
14 Township zoning would protect us against things like this and  
15 make sure that, you know, like Heather said, I mean, this is --  
16 I was literally sick to my stomach or literally ill over the  
17 prospect of having a school behind us because it seems just  
18 like we're not being considered at all or our opinion.

19 And this isn't directly related but I wanted to  
20 mention, like, the process that, like, I personally went  
21 through, like, leading up to this meeting. You know, we did  
22 learn that the school, after the levy, had purchased this 10  
23 acre lot, you know, right here. And there was a sign out on  
24 608, you know, saying the school is going to go in here, so I  
25 did know about that. And as soon as I learned of that, I did,  
26 you know, some research and I discovered that Little Mountain  
27 owned the property right here and I talked to them.

28 CHAIRMAN VALENTIC: Can you flip that this way?

29 MR. BYRD: Sure. I'm sorry. I learned that Little  
30 Mountain owned this property here. It was like approximately

1 five acres. And being a very concerned citizen in what was  
2 going to happen, I contacted Little Mountain and they were  
3 planning to put four residential homes in here. And I was  
4 like, okay. Not my dream but, in my opinion, it was, it was a  
5 better option than the school, you know, being right behind my  
6 house.

7 So I saw that there was signage, you know, on 608  
8 here for the Little Mountain Homes. I also contacted Heather  
9 and I talked to her about, you know, what was going on with  
10 this and the school and all that. I called Riverside Schools.  
11 I told them that I was very concerned that the school was going  
12 even five acres away from me at that point.

13 And then over Labor Day weekend, we went for a ride  
14 and I turned down here and I noticed that the Little Mountain  
15 signs were gone. And I was like, "Wow, I wonder what's going  
16 on here." I had no idea what's going on. So that next Monday  
17 I start calling people and I find out that this five acres was  
18 sold to the school district and they are planning on building a  
19 school here.

20 This is just me accidentally stumbling across it. I  
21 wasn't notified of that, you know, any of this was going in. I  
22 wasn't included in any way, shape or form about anything that  
23 was going on in my own back yard, and I started talking to some  
24 of my neighbors about it and the same. I would say that every  
25 single neighbor that I have that I talked to in Summerwood, in  
26 the Summerwood area, was unaware of this. I mean, obviously,  
27 they are now because they're here at the meeting.

28 I just think we can do a better job as a community in  
29 informing, you know, neighbors that are directly affected by  
30 this. I mean, 25 feet, technically, that's not adjacent but,

1 man, we are going to be extremely affected by this. And I  
2 just, I think this is going to destroy our lives.

3 MR. GOLLING: Richard, where do you live on here?  
4 Can you show me?

5 MR. BYRD: Sure.

6 MR. GOLLING: I know they're real little but --

7 MR. BYRD: Right here.

8 MR. GOLLING: So that's your house, pretty much,  
9 right there?

10 MR. BYRD: Yeah.

11 MR. GOLLING: The third or fourth in, something like  
12 that?

13 MR. BYRD: Yeah. There's a new house here, so this  
14 is mine right here.

15 MR. GOLLING: Okay, gotcha. Thank you.

16 MR. BYRD: Thank you for, for listening to me.

17 CHAIRMAN VALENTIC: No. And to be clear, tonight's  
18 meeting is only for the conditional use permit, so they're  
19 early in the stage. And they, if this goes forward, they need  
20 to come back for site plan approval and reviews, and that's  
21 where the, you know, we'll see what the landscaping is going to  
22 come in, buffering, you know, what's going to get cleared,  
23 what's going to be kept on site as well.

24 MR. BYRD: You can understand my extreme concern.

25 CHAIRMAN VALENTIC: Oh, yes.

26 MR. BYRD: I have been completely ignored, and I  
27 would say my neighbors are as well, from anything at all  
28 regarding this. If I wasn't observant that day, myself and our  
29 neighbors would have all missed this meeting. And I think it's  
30 critical on how dramatically it's going to affect our lives.

1 So that was the point I want to make.

2 And also that if I wasn't considered at all up to  
3 this point, I mean, this is pretty major. In my world, this is  
4 pretty major going into my back yard. So what guarantee do I  
5 have that I will have any say or, you know, any attention will  
6 be paid to any of my concerns or needs? So thank you very much  
7 for hearing me.

8 CHAIRMAN VALENTIC: Thank you.

9 MS. FREEMAN: Excuse me, Mr. Chairman.

10 CHAIRMAN VALENTIC: Yes?

11 MS. FREEMAN: Can we limit the clapping?

12 CHAIRMAN VALENTIC: Okay, sure. Let's just hold the  
13 claps for the rest of the meeting, get through the -- We've got  
14 a long evening ahead of us and we want to give everyone a  
15 chance here.

16 MR. DITTO: All right. Rich Ditto, I live on  
17 Winchell, 12421, and I have been sworn in.

18 CHAIRMAN VALENTIC: Thank you.

19 MR. DITTO: I just want to add on. It's hard to beat  
20 what Gretchen already said but my real concern is with the  
21 septic system. I don't know what the -- who decided not to  
22 hook into the sewers but I believe they're right -- I don't  
23 know if that study was done before they purchased the extra  
24 five acres, you know, but that five acres is real close to  
25 where the sewers are on Summerwood. So I don't know what the,  
26 you know, the impact is, if it's financial. But I wouldn't  
27 think that they'd be too concerned about that since they paid  
28 an ungodly amount for the land already. So what's another  
29 million dollars of our tax money, you know? So I don't know  
30 what that is.

1           But to put, what, 29, is it -- yeah, 29 mounds on  
2 three and a half acres and a treatment plant in our  
3 neighborhood, I mean, how would you like to be living next to  
4 that, you know? If that school was there and we bought our  
5 land and built our houses, I wouldn't even be here, you know.  
6 But like a lot of people are saying, we had no idea this was  
7 going to happen.

8           If you look at this back corner, that is a creek.  
9 This is a creek that runs here. And this, if you saw the topo  
10 map, I have been on this land and this land all flows back to  
11 this creek. So mounds, you know, disbursing all that water  
12 every day, and they can't tell me that those mounds are going  
13 to hold in all that water and not get in the creek. There is a  
14 pond back here. And, I mean, that's a biggest thing I have  
15 against it.

16           Clear-cutting all those trees and putting a fence up,  
17 it is going to look like a penitentiary, we have a penitentiary  
18 by us, you know, not to mention everything that Gretchen said  
19 with the lights and everything. So I am all for the kids  
20 having a brand new school. I love that, you know. I'm all for  
21 that. I can't believe this site was picked for it, compared to  
22 where -- I don't know who does that or what their experience  
23 was or, you know, what they -- knowledge they have to do, to  
24 pick this land, but I just want to go on record that, you know,  
25 I am against it.

26           CHAIRMAN VALENTIC: Thank you, sir.

27           MR. DITTO: You're welcome.

28           CHAIRMAN VALENTIC: Who is next?

29           MR. HEDIN: Hi, I'm Arick Hedin. I live at  
30 12401 Summerwood Drive. I have been sworn in. You know, I

1 thought Heather tonight made some very valid points and I just  
2 want to speak on behalf of the roughly six years I have lived  
3 in the Summerwood neighborhood. The speed of expansion and  
4 growth in America that's, that's, you know, stretching into  
5 rural areas, it's crazy how fast it's going. And a lot of us,  
6 as was stated before, moved to this area for a very specific  
7 reason. It's quite. It's rural. There is nature. There is  
8 woods. There is the national park -- or the state park there.  
9 And to bring in this type of a structure is going to completely  
10 negate all of that.

11 We're running out of places to go. We can't keep  
12 moving farther and farther away as expansion happens. We need  
13 to start protecting certain areas and keeping the character of  
14 that area alive, and I believe that's important to everyone in  
15 this room. I know a ton of my direct neighbors are standing  
16 right behind me. If you live in Summerwood, you understand the  
17 character of that neighborhood. You understand the quiet, the  
18 fact that we can walk across the street and talk to our  
19 neighbors and it's serene. The ton of kids that live in this  
20 neighborhood, what -- I have a son that's about to be 11.  
21 There are only two cars at this point that I know on a  
22 consistent basis speed through our neighborhood. I feel safe  
23 there. We address those as neighbors when people speed through  
24 our neighborhood.

25 We are talking about a significant increase in  
26 traffic flow. I don't care what, what they have stated up to  
27 this point. I would love to see that impact study because I  
28 know that living three houses from Concord-Hambden Road, I have  
29 trouble getting out on Concord-Hambden Road on a normal basis,  
30 let alone when the school is there.

1 I will also say that that hill that they are trying  
2 to put that school on is extremely dangerous. We can barely  
3 see over the hill as we're coming out on Concord-Hambden Road,  
4 and you're wanting to take kids in and out of that location. I  
5 think it's extremely irresponsible.

6 I might be a little bit out of place here but,  
7 personally, as a nature lover and an animal lover, this is  
8 going to be just more reason why we're pushing the nature away,  
9 one of the reasons that I personally live there. I like the  
10 fact that I can see foxes run through my back yard, that there  
11 is deer in the area. We're adding more people, more noise,  
12 more lights. That all starts to go away.

13 Safety, we have to address it. I have some personal  
14 friends in the neighborhood and one of them actually works on  
15 child endangerment issues. However, schools will bring a  
16 desire for individuals we don't want around. It's just  
17 natural, it happens. And so I am worried about that as having  
18 a young child in the neighborhood.

19 I live across the street, so I wouldn't be directly  
20 affected like some of my neighbors. But I love my neighbors.  
21 I love the people living around me. I don't want to see them  
22 move away because of the encroachment on their life.

23 And, financially, this will have a significant impact  
24 on home values. Whatever -- Heather mentioned it. Mechanical  
25 breakdowns will happen, period, end of story. That odor will  
26 be in the area. And as people come through and as realtors  
27 start to get to know the area, that will be stated.

28 So I personally am very much against this measure.  
29 And as stated several times again from several individuals,  
30 there are plenty of locations. I understand a lot of people

1 want to be in Concord. That's, that's why we're here. We  
2 don't want that taken away from us. Thank you.

3 CHAIRMAN VALENTIC: Thank you.

4 Anyone else that would like to come up?

5 MR. BARBER: My name is Mike Barber. I live at  
6 12386 Summerwood Drive. I'm on the third base side. I am by  
7 the home plate here.

8 CHAIRMAN VALENTIC: You've been sworn in, sir?

9 MR. BARBER: I have. We lived here since 2010. Love  
10 the neighborhood. Love the neighbors. We lived in Eastlake,  
11 and behind our house about that far away was the city pool.  
12 That's why we don't live in Eastlake anymore. It was just very  
13 intrusive. We work shifts, hard to sleep, just a lot of --  
14 Think of it, the lighting. We can see stars right now. We  
15 could never see stars.

16 So I could show you on the map later where we live  
17 but we would be right here. I am sure that's going to be lit.  
18 I just ask the members of the Board, don't let Concord become  
19 another Eastlake. Don't drive people away because of the sewer  
20 smell and the lights. And we came here for a reason. We had  
21 one shot at a dream house. It is right here, right there, and  
22 I don't want to lose it. But it is becoming more and more  
23 inevitable that I am not going to live with that. It's not  
24 going to happen, a sewer plant in the back yard.

25 I did my homework before we moved here. My wife and  
26 I looked into everything. We talked to Mr. Bullard, I believe  
27 his name was. And it's all residential. It's all farm land.  
28 It will be good. Enjoy. Welcome to the neighborhood. We  
29 never expected this. I ask you not to let it happen. That's  
30 all I got. Thanks, guys.

1           CHAIRMAN VALENTIC: Thank you.

2           MR. GOLLING: Do you live next to Mr. Byrd?

3           MR. BARBER: I will show you.

4           MR. GOLLING: Yeah, just for my own reference.

5           MR. BARBER: Yep, right there.

6           MR. GOLLING: Gotcha.

7           MR. BARBER: They cleared out some homes. That's an  
8 old picture.

9           CHAIRMAN VALENTIC: Is there anyone else that would  
10 like to come up and speak? Now is your chance.

11          MR. LISZKOWSKI: Bob Liszkowski, I live at  
12 12416 Summerwood, which is second house from the end or second  
13 house closest to Concord-Hambden Road.

14          CHAIRMAN VALENTIC: And you've been sworn in, sir?

15          MR. LISZKOWSKI: I have been sworn in. And, yeah, I  
16 too have a lot of concerns about, about the school here. And,  
17 you know, number one is, there wasn't a lot of transparency,  
18 you know, when Riverside -- when we had this Riverside levy.  
19 No one knew your back yard would be a parking lot or a roadway.  
20 We saw the original 10 acre land they bought. We saw the sign.  
21 It's pretty far down the road. You know, we didn't think much  
22 of it, but that's all changed and changed really, really  
23 recent, you know, when they acquired these five acres. And I  
24 just don't see the transparency there with letting the  
25 residents know, "Hey, this is really, this is really what we  
26 need. This is really how close we're going to get to you, you  
27 know, when we, when we build this."

28          The other thing is being so close to Concord-Hambden  
29 Road, I'm a night shift worker, so I work (sic.) during the  
30 day. I have to have ear plugs in now so I can sleep because

1 everyone knows, a few people have said the road traffic there  
2 now, truck traffic, it's heavy and it's loud. And my house is  
3 soundproofed. I told the builder, "I want the walls  
4 soundproofed." He said, "They're going to be soundproof." The  
5 windows, you know, the noise level is high.

6 So when you put this school in and you put this  
7 roadway in and you put this bus traffic in, all the additional  
8 traffic, what is this -- What is it going to be like to live  
9 here? I mean, how loud is it going to get?

10 Now, we've heard no plan from Andy here on what he's  
11 going to do with sound problems, lighting. I mean, they have  
12 said nothing. They have said nothing. I understand this is a  
13 conditional use meeting and, I mean, we're voicing our  
14 concerns. And when you look at the, you know, the zoning laws,  
15 you know, we're seeing, well, is this going to hurt the eco  
16 space? Is this going to hurt your, you know -- Is this going  
17 to be bothersome to the neighborhood? Yes, it is.

18 So how can we give a conditional use permit to them  
19 when you have heard all the concerns or, at least, a lot of  
20 them? How can we do this until we see a reasonable plan,  
21 something that's -- And this wastewater treatment plant, who  
22 would want to live behind a wastewater treatment plant?  
23 Nobody. Who would -- Who is going to build another house over  
24 here? I mean, our property value is going to go down and, I  
25 mean, I don't, I don't see how it would get any better. So --

26 CHAIRMAN VALENTIC: Thank you.

27 MR. LISZKOWSKI: Thank you.

28 MR. SUSTAR: My name is Chris Sustar. I live at --  
29 or I will be living, I'm building -- at 12436 Concord-Hambden  
30 Road, right next door.

1           CHAIRMAN VALENTIC:  When you say right next door, to  
2 the south?

3           MR. SUSTAR:  Yep.

4           CHAIRMAN VALENTIC:  Okay.  And you've been sworn in,  
5 sir?

6           MR. SUSTAR:  Yes, I have.  I'm not going to go into  
7 everything else because I agree with Gretchen and everything  
8 else, so I will just stick to my --

9           CHAIRMAN VALENTIC:  Yeah, if there's not anything new  
10 to add, I would appreciate it.

11          MR. SUSTAR:  -- my side of it.

12          CHAIRMAN VALENTIC:  Sure.

13          MR. SUSTAR:  When I first decided to build there, it  
14 was a dream.  I am going to build my retirement house.  I have  
15 lived in Concord.  I am going to die in Concord.  Now you guys  
16 might as well take that sewage plant and put it right on top of  
17 my house.  I hate going out there knowing this is being put in.  
18 It's my life.  I didn't think that this could be taken away  
19 from me.  My choice to live next to a school has been taken  
20 away from me if this goes through.  It just totally pisses me  
21 off.  I am putting my life savings into this house.  It is  
22 going to be my retirement home.

23                 The only thing I can think of is, I am out back  
24 having a cookout and I am going to be smelling the septic.  Who  
25 am I going to call and complain?  I know you guys, I won't be  
26 able to call you guys.  Who am I going to call?  I moved out  
27 here for the serenity, the darkness, everything else.  Now I am  
28 going to have school lights shining in my house all the time.  
29 This isn't right at all.  That's all I got.

30          CHAIRMAN VALENTIC:  Thank you.

1           Anybody else that would like to come up and speak  
2 against the appeal or the conditional use permit?

3           MS. LEITH: Hello. My name is Sandra Leith. I stood  
4 up to swear in with the other people. I live at 12450 Concord-  
5 Hambden Road. It's about 200 feet from the school. We moved  
6 here from out of state. I spent much time choosing a piece of  
7 land. We chose it because it was wooded, it was quiet,  
8 beautiful at night, darkness. We love the wildlife, so, you  
9 know, birds and deer and all the other animals. We just really  
10 enjoy watching those.

11           I guess I also feel very sick to my stomach thinking  
12 that they will take down all the trees. The wildlife will be  
13 gone, the lights, the noise. I don't even want to live in my  
14 house anymore. I've only been there two years and I don't even  
15 want to be there. I just can't imagine how the composition of  
16 the whole neighborhood would be changed.

17           So I ask that you please do not approve this. Leave  
18 the neighborhood like it is. Thank you.

19           CHAIRMAN VALENTIC: Thank you.

20           AUDIENCE MEMBER: Could the microphone be placed so  
21 we could hear? I didn't hear a thing she said.

22           CHAIRMAN VALENTIC: Sure. We'll move it forward for  
23 the last people speaking.

24           AUDIENCE MEMBER: I appreciate that. Thank you.

25           MS. FREEMAN: Mr. Chairman, the microphone is  
26 actually for the television. It's not --

27           AUDIENCE MEMBER: Oh, it doesn't amplify. Thank you.

28           CHAIRMAN VALENTIC: Okay. Is there anyone else here  
29 speaking against this appeal? Please come on up.

30           MR. STEVENS: My name is Dennis Stevens. I live on

1 the corner of Winchell and 608, 12445 Winchell. I would like  
2 more information about the stormwater drainage because that --  
3 I know there is some retention ponds out front. Is that water  
4 ultimately going to go down the ditch on Concord-Hambden Road?  
5 Because I live on the corner, I have all the stormwater coming  
6 down Winchell Road, I have all the stormwater coming down  
7 Concord-Hambden and it's all converging at the intersection.  
8 It's scouring out under the road. The road is collapsing.  
9 Ditches that used to have high embankments on each side are now  
10 at a 45 degree angle. There is a lot of soil erosion. And  
11 this is just from the normal rains. I am concerned that this  
12 school, with 14 acres of concrete and asphalt, is going to  
13 funnel a lot of water down Concord-Hambden Road and make it  
14 even worse.

15 CHAIRMAN VALENTIC: Part of their approval will be,  
16 one of the conditions will be that they work with the County  
17 Engineer and they get approval from the County Engineer for  
18 their stormwater management and it gets reviewed by the County  
19 Engineer. Correct, Heather?

20 MS. FREEMAN: Yes.

21 MR. STEVENS: Okay. Well, I am not the engineer but  
22 I am here to represent myself.

23 CHAIRMAN VALENTIC: Sure.

24 MR. STEVENS: And I am letting you know ahead of  
25 time, I see that as a major problem because I already have that  
26 problem. I have a lot of soil that I am losing personally  
27 every time there is a heavy rain down on that corner and it's  
28 going to get worse. Unless there is a retention wall or  
29 something put there to channel that water carefully, I am going  
30 to keep losing soil. And all the soil along that ditch all the

1 way up the hill keeps draining away, also. Thank you.

2 CHAIRMAN VALENTIC: Thank you.

3 Is there anyone else that would like to come up and  
4 speak? Everyone is good?

5 Andy, you know, I would like to give you the  
6 opportunity to come back up and maybe answer some more  
7 questions from the Board, or if there's anything you want to  
8 add based on what -- the information you heard today, or if  
9 there is anybody from the School District that would like to  
10 come up and say anything.

11 MR. KALIS: My name is Jim Kalis. I am the  
12 superintendent of Riverside Local Schools, and I have been  
13 sworn in.

14 This whole project has taken many years. We looked  
15 at about 25 different properties in Concord, the southeast area  
16 of our district. We're replacing four schools. This bond  
17 allows us to build two new elementary schools and decommission  
18 Hadden, Hale, Leroy and Madison Elementaries. Leroy is one of  
19 the worst facilities we have in our district. We had -- We  
20 have to take that building down. We were hoping that we could  
21 do it sooner than later but we are keeping it open until our  
22 elementary schools are built. We are planning on opening them  
23 up August of 2019.

24 Despite what you've heard today, we've had many  
25 discussions at our Board meetings about this. We put  
26 information in our publications that we put out. I personally  
27 went to 25 different, around 25 different coffees in people's  
28 houses to talk about the project. Now, at that time, we were  
29 not really sure yet where that was going to be located in the  
30 Concord area but we did discuss some of the other possible

1 locations.

2 There was only one that we looked at in Concord that  
3 actually had a sewer tie-in, which was just east of Girdled and  
4 Ravenna Road, but the topography there was just awful according  
5 to our experts over here. It was not a good site to build. We  
6 would have had to put in a lot of money.

7 Now, I am not exactly sure what the total amount was.  
8 Mr. Rothlisberger is over there sitting. We met with them  
9 formally about three times to look at trying to tie in and not  
10 have a wastewater treatment plant on any of the sites that we  
11 picked. Unfortunately, that wasn't the case. And I believe  
12 the amount to tie in, to possibly tie in was more around  
13 \$3 million.

14 MR. ROTH LISBERGER: A rough estimate.

15 MR. KALIS: Not \$1 million, \$3 million. The bond  
16 that was passed was a \$38 and a half million bond to build two  
17 new elementary schools. We looked for some of the same reasons  
18 that we've heard here that have been expressed by the  
19 community. This is some of the reason why we want to be in  
20 Concord. We want to be able to service the kids in the area.  
21 But we looked at Capital Parkway. Geographically speaking,  
22 it's too far. We have to service the kids in the southeastern  
23 portion of our district. And Concord is a great place and we  
24 want to be able to have another elementary school somewhere  
25 that will serve the kids of Leroy and Concord.

26 And we're only in the design phase but the building  
27 isn't going to be something that's going to be ugly or  
28 embarrassing. Someone said that the most important resource  
29 are their houses, and that may be the case. It's our kids,  
30 too, and we need to be able to educate them in 21st Century

1 facilities. All of you, I am sure, have gone in our elementary  
2 schools and you've seen what they look like. The Ohio School  
3 Facilities Commission audited our buildings in 2008 and 2013.  
4 You know what they said? They said, "Get rid of all of your  
5 schools except LaMuth and put up a \$149 million dollar bond."  
6 After I laughed, I said, "What can we really do?"

7 So we put together this plan with the community  
8 members and what we're trying to do is a two-phase program --  
9 Well, actually, three if you count the third phase which is to  
10 convert LaMuth into an elementary school but that won't cost  
11 the District anything. Actually, we'll get money back through  
12 a program that we're in with the Ohio School Facility  
13 Commission.

14 But our plan at the end basically has LaMuth still  
15 standing but we will still have new, two new elementary schools  
16 and possibly, in the second phase along the line -- we are not  
17 putting anything on the ballot now -- down the line would be a  
18 6-12 complex possibly on the Riverside site.

19 But we've been as transparent as we possibly can. I  
20 did talk to Mr. Byrd a few times on the phone, a very nice  
21 gentleman. We had a candid conversation. The reason why we  
22 haven't gone to the community yet is that I'm not -- I can't  
23 present or -- I can't present something that we are not sure  
24 exactly what it looks like. We don't want to go to the  
25 community and say, "Hey, this is what we're doing," only to  
26 have some changes and have people accuse us of changing plans  
27 on them.

28 So we're going through the process trying to get the  
29 conditional use form, I'm going through the process. And once  
30 we know what the site is going to look like, I will do

1 everything in my power with the \$38 and a half million trying  
2 to shield some of the neighbors from the school. But what I am  
3 hearing -- and I, and I understand -- but what I am hearing  
4 here is the fact that school is great but don't put it by my,  
5 my neighborhood. Don't it by my house. Put it somewhere else.  
6 And that's what we're looking at.

7 And, at this point, this is the site that we have  
8 picked. We picked it for a reason. We got the 14 acres, 15  
9 acres. We looked at other options. I am telling you we looked  
10 at about three or four sites more formally with geo-tech  
11 studies and everything else. But we looked at 24, 25 sites.  
12 We met with the Cleveland -- or the Lake MetroParks to see if  
13 we can get land from them. We also were in the process of  
14 looking at the property that was owned by Little Mountain  
15 Homes, it was about 90 some acres just east of the Girdled-608  
16 corridor. It was too expensive, I think, at that time to buy  
17 that property. And so we had the ability to buy the two  
18 properties for what we believe is a reasonable, reasonable  
19 price.

20 CHAIRMAN VALENTIC: Does the Board have any  
21 questions? No? You guys good? Jim, you good?

22 Thank you.

23 Is there anything else, anyone from the design firm  
24 or from the school district that would like to come up and say  
25 anything more? No.

26 I will just give the Board one more opportunity. Do  
27 you have any questions for anybody from -- for or against this  
28 appeal before we close the public portion of the meeting? Do  
29 you guys have any other questions you want to ask?

30 MR. HAMILTON: I do not, no.

1 MR. GOLLING: I don't.

2 MR. ROWE: No.

3 CHAIRMAN VALENTIC: Okay. If there is no one else,  
4 if there's no further questions, the public hearing for  
5 Conditional Use Permit Number 2017-5 is now closed to the  
6 public. I will entertain a motion to approve Conditional Use  
7 Permit 2017-5.

8 MR. HAMILTON: So moved.

9 CHAIRMAN VALENTIC: Second, anyone?

10 MR. ROWE: Second.

11 CHAIRMAN VALENTIC: Thank you. We have, we have  
12 approval of Conditional Use Permit 2017-5 and a second. It is  
13 open for discussion to the Board.

14 Jim, you were itching to say something over there?

15 MR. ROWE: No, I just -- It's a case of so often the  
16 situation, you come into an area in looking and settle on  
17 something. And if there is open area, things can change. I  
18 mean, it's just, I have seen it. I have lived in a few parts  
19 of the country over the years. And, I mean, it's just -- I  
20 know the -- I feel the, you know, how these people feel because  
21 you got everything pretty well set up because, well, because  
22 you kind of came in at maybe the early end of setting in  
23 Summerwood and some of that. But they say we -- It's very  
24 difficult but when there, when there are large pieces of  
25 property around the area. You know, things can change.

26 I mean, I'm' not, I'm not saying right, wrong or  
27 whatever but, I mean, it's some of that stuff. It's not a  
28 solution or whatever but schools are necessary, certainly, and  
29 it's good to have updates and so forth. And it's -- Most  
30 everybody is for that but, again, you get into the money. When

1 it ends up kind of impacting an area that has been there, has  
2 been open, it's tough to look at. I don't know. That's not a  
3 question, it's not an observation, I guess, but that's the  
4 things that go through my mind.

5 CHAIRMAN VALENTIC: Fair enough.

6 MR. GOLLING: I think about the 816 -- 18, 812  
7 additional trips per day. My daughter went to LaMuth and for  
8 two years -- she's in John R. now -- but for two years we had  
9 to drive up Auburn and everyone's got to play nice and let cars  
10 out. And I have some friends who live in Ellison and they  
11 moved into Ellison knowing full well that LaMuth was there  
12 beforehand and they dealt with the traffic knowing that the  
13 septic is there, which I am at the baseball fields constantly.  
14 I don't really smell it. I will be honest with you. But the  
15 traffic is always there in the morning and it's not pleasant to  
16 deal with.

17 But I can't discount the fact that now that I've been  
18 down Concord-Hambden -- not my neck of the roads, I'm two miles  
19 up the road here. But I am no traffic engineer and I read  
20 through our traffic engineer thing and it's super confusing to  
21 me. I just don't see how you fit six pounds of dirt in a five  
22 pound bag at that time of day. And we're on the front end of  
23 this and these people have an opportunity to, at least, voice  
24 their opinion and I'm just hearing them.

25 CHAIRMAN VALENTIC: Yeah, I think the traffic  
26 situation has not been addressed yet. I mean, that's the study  
27 but it still hasn't been approved from ODOT. So we don't --

28 MR. GOLLING: Right.

29 CHAIRMAN VALENTIC: I don't think we know yet what's  
30 going to happen with the road configuration.

1 MR. HAMILTON: So if we can go back to the 12  
2 applicable standards for the conditional use in 13.05, without  
3 reading through all 12 of those, it's just my opinion that, if  
4 not, a majority of these applicable standards are in question  
5 with this site selection and I would not be comfortable at this  
6 point granting a conditional use based on that. If you want to  
7 go through all 12 of them, we can.

8 CHAIRMAN VALENTIC: You know, I don't know if, Jim  
9 and Todd, if you guys have looked at those. You know, I tried  
10 to go through them before the meeting and tried to go back  
11 through them during the meeting to listen to the same thing to  
12 see if, you know, how do they address those 12. I know we  
13 don't have to read them, you know, through, all the way through  
14 but I think you want to -- maybe we should discuss some of them  
15 or kind of hit them all briefly and just get a feel for how  
16 we --

17 MR. HAMILTON: Yeah, I think you can, you can  
18 highlight the points that Gretchen made to those applicable  
19 standards.

20 CHAIRMAN VALENTIC: So that they --

21 MR. HAMILTON: Those all pertain in this case to  
22 approval or denial of the conditional use. And they're all  
23 valid, in my opinion.

24 MS. GRETCHEN SKOK: Thank you, sir.

25 CHAIRMAN VALENTIC: So it will be harmonious with and  
26 in accordance with general provisions, specific objectives of  
27 the Comprehensive Plan and Zoning Resolution, that's number --  
28 that's A.

29 MR. HAMILTON: A, along with B, constructed, operated  
30 and maintained as to be harmonious and appropriate in

1 appearance with the existing or intended character of the  
2 general vicinity, such use will not change the essential  
3 character of the same area.

4 CHAIRMAN VALENTIC: So if we talk about that just as  
5 a group here, I mean, you know, think about that. Does that  
6 change the character of the facility? From what we heard  
7 today, you know, clearing some trees --

8 MR. HAMILTON: Two-story, large industrial facility,  
9 yes.

10 CHAIRMAN VALENTIC: You know, some parking. Again,  
11 it's not the final site plan but, you know, can they, you  
12 know -- Can we also ask that they try to meet B, you know, as  
13 one, as a condition also? It's something to think about, just  
14 throwing it out there. But I would agree that, right now, that  
15 they're not meeting that requirement.

16 MR. HAMILTON: The plan as presented to me does not  
17 meet that requirement.

18 CHAIRMAN VALENTIC: Does not, correct. Will not be  
19 hazardous or disturbing to neighboring uses. I mean, I can't  
20 say that it's going to be hazardous. I mean, EPA has weighed  
21 in. They've had experts weigh in. I don't see anything  
22 hazardous, that I would consider hazardous at this point. But  
23 disturbing to neighbors --

24 MR. ROWE: Yes.

25 CHAIRMAN VALENTIC: I could see, yes, it's disturbing  
26 to neighbors.

27 MR. HAMILTON: Right.

28 MR. GOLLING: Point I, will not result in the  
29 destruction, loss or damage of a natural, scenic or historic  
30 feature.

1 MR. ROWE: How did we get to I?

2 MR. GOLLING: I just can't get past that.

3 CHAIRMAN VALENTIC: What letter was that one?

4 MR. GOLLING: Point I.

5 CHAIRMAN VALENTIC: Oh, you jumped, okay.

6 MR. GOLLING: Yeah, I jumped. I'm sorry.

7 CHAIRMAN VALENTIC: Yeah. I'm like, okay, I'm not  
8 seeing that.

9 MR. ROWE: Quick study.

10 CHAIRMAN VALENTIC: So D, served adequately by  
11 essential public facilities such as highways, roads, streets,  
12 police, fire protection, drainage, you know, water, I mean,  
13 they've -- the one where they're not being served is the  
14 wastewater, which they've addressed on their own. Right now,  
15 the road does not serve them adequately, 608, potentially.

16 MR. HAMILTON: Right.

17 CHAIRMAN VALENTIC: You know, there is, you know,  
18 ODOT might require them to make some improvements, I guess, and  
19 that's on them to make those improvements. But I would say,  
20 you know, maybe that one, you know, is a yes.

21 Will not create excessive additional requirements at  
22 public cost, at public cost for public facilities and services.

23 MR. ROWE: Well, that, I mean, current equipment.

24 MR. HAMILTON: As currently stated, you know, no.

25 CHAIRMAN VALENTIC: No. F, will not involve uses,  
26 activities, processes, materials, equipment, conditions of  
27 operation that will be hazardous to the general welfare of the  
28 community.

29 MR. HAMILTON: I think that could be interpreted  
30 positively and negatively. If you're adjacent to the property,

1 you're not going to see it, you know, as not involving the use  
2 or activity that's detrimental to the general welfare. So  
3 depending on who you are, where you live --

4 CHAIRMAN VALENTIC: Yeah.

5 MR. HAMILTON: If you're in the vicinity to this  
6 site, I could see that either way.

7 CHAIRMAN VALENTIC: On-site circulation, that being  
8 -- It appears that they've addressed that. We haven't heard  
9 any concerns from the Fire Department at this point. They  
10 would have to meet that requirement.

11 Roadway systems, service areas, parking areas,  
12 entrances, pedestrian walkways to have access to public streets  
13 in a manner that minimizes traffic hazards or congestion.

14 MR. HAMILTON: Their initial studies would say no.

15 CHAIRMAN VALENTIC: You know, and I don't know if  
16 they can ever really address that.

17 MR. ROWE: Yeah, I don't know. The traffic study, I  
18 mean, is like, well, did you come to a conclusion or whatever?  
19 It's just --

20 MR. HAMILTON: So then back to Section I, will not  
21 result in destruction, loss or damage of natural, scenic or  
22 historic features.

23 MR. ROWE: Well, maybe not historic but scenic and  
24 natural.

25 MR. HAMILTON: Natural and scenic features will be  
26 obliterated.

27 CHAIRMAN VALENTIC: Yeah. Public, endanger the  
28 public health, safety and welfare. I don't know if it --

29 MR. ROWE: No.

30 CHAIRMAN VALENTIC: -- puts the public in danger.

1 Will not be hazardous or disturbing to the existing  
2 and future use and enjoyment of property in the immediate  
3 vicinity for the uses permitted, nor substantially diminish or  
4 impair property values within the neighborhood.

5 MR. HAMILTON: I think if you looked at the  
6 surrounding zoning for that area, the answer there is, you  
7 know, yes, it will disturb future use and enjoyment of the  
8 property in the immediate vicinity.

9 CHAIRMAN VALENTIC: Will not impede the normal and  
10 orderly development and improvement of the surrounding  
11 property for the uses permitted in the district. I think --

12 MR. HAMILTON: I can't assess that.

13 CHAIRMAN VALENTIC: Yeah, sorry. I don't know.  
14 Number L, really, I think we can't really say that that's  
15 impacted but for the, you know, just looking at it here,  
16 probably still develop or build homes around the area if you  
17 wanted to.

18 MR. HAMILTON: Right.

19 CHAIRMAN VALENTIC: So, you know, I think those are  
20 the things we need to think about and decide how we move  
21 forward with our approval here. There is quite a few things  
22 that are no, some that are yes. We have the opportunity to put  
23 conditions on the, additional, you know, conditions on the  
24 approval. I mean, obviously, they have to get approvals from  
25 all the -- from the township, site plan reviews, EPA approvals,  
26 ODOT approvals. All those conditions need to be met for this  
27 to go forward.

28 MR. ROWE: True.

29 CHAIRMAN VALENTIC: We, as a Board, if we wanted to,  
30 can put additional conditions that are stipulations as well.

1 So that's --

2 AUDIENCE MEMBER: You are saying this is going  
3 through already?

4 MS. LANDGRAF: They're just discussing. There has  
5 been no vote.

6 CHAIRMAN VALENTIC: This is only a discussion for the  
7 Board.

8 You know, we can put additional stipulationS as well  
9 if we feel that we need it, or if we feel like we need  
10 additional information for the conditional use permit -- I will  
11 throw that out there -- you know, we can request that as well.

12 MR. HAMILTON: I think the only thing I would be  
13 interested in for additional information, I would like to know  
14 how -- what the evaluation process for all the other properties  
15 was, how this conclusion that this was the most suitable  
16 property for the location was reached. And, you know, what  
17 other options do they have for other locations for this  
18 facility?

19 CHAIRMAN VALENTIC: Yeah.

20 MR. HAMILTON: We kind of got an overview of what  
21 they went through.

22 CHAIRMAN VALENTIC: They looked at 25, it sounds like  
23 they went to four and they looked at those four.

24 MR. HAMILTON: Yeah.

25 CHAIRMAN VALENTIC: But we didn't really get details.

26 MR. HAMILTON: Right.

27 CHAIRMAN VALENTIC: Nor were they really prepared to  
28 go through those details with us this evening.

29 MR. GOLLING: For fun this morning while I was  
30 supposed to be working, I went on the county assessor's site.

1 About a two-minute walk from here, Dick Osborne owns two lots  
2 over here. Combined they're about 17, 18 acres. They're right  
3 next to the interstate, I think you guys know, next to the --  
4 There's a landscaper, I think. It's behind the church right  
5 over here on, on the north side of 608.

6 MR. KALIS: We looked at that.

7 MR. GOLLING: You looked at that?

8 MR. KALIS: That's the one we could connect to the  
9 sewer but the geography was awful.

10 CHAIRMAN VALENTIC: Okay. We've got to just -- We  
11 can't direct questions to the public.

12 MR. GOLLING: Right, right.

13 CHAIRMAN VALENTIC: And they can't really answer to  
14 us at this point.

15 MR. GOLLING: Yeah.

16 CHAIRMAN VALENTIC: That's -- It's closed to the  
17 public. This is for our discussion. So, yeah, I mean, maybe  
18 there are --

19 MR. GOLLING: Yeah. They brought up the question, is  
20 this, is this the best one or not?

21 MR. ROWE: Yeah. I don't know. Basically, I see,  
22 along with Blair, I have a tough time going ahead with this and  
23 then trying to put in extra items. I mean, just -- If you get  
24 enough or not enough or, you know, I know that there is things  
25 out there that have to go through by other groups and approvals  
26 and such and sorts. But, you know, it's truly, I think, how  
27 to, how to define maintaining some separation, you know, at  
28 that north end and so forth, I mean, that's a biggie and may  
29 not be viable or whatnot.

30 CHAIRMAN VALENTIC: Yeah. I don't, you know --

1 That's why I throw that out there, Jim. I mean, do we, do we  
2 give -- if, you know, we vote on the approval of the  
3 conditional use permit, do we say that -- you know, the setback  
4 is 50 feet -- but do we just request they make it 100 feet and  
5 the ball field can't be within 50 feet, you know, of --

6 MR. ROWE: Yeah. But, see, then you get done and  
7 then you think of, tomorrow morning over coffee, something  
8 else.

9 CHAIRMAN VALENTIC: Yeah, that's possible.

10 MR. ROWE: Yeah, that's just --

11 CHAIRMAN VALENTIC: And I am not saying we have to do  
12 that, Jim. I just want to remind the Board that we have that  
13 option to put those supplemental conditions at this time, you  
14 know, if we're going to vote for the conditional use permit.

15 MR. HAMILTON: So, yeah, even knowing that the site  
16 plan currently is fungible, I mean, it can change.

17 CHAIRMAN VALENTIC: Yeah, it's going to change from  
18 that. We heard they're at the schematic design phase and they  
19 called this plan conceptual. So they've got a long way to go  
20 before they have a final site plan.

21 MR. HAMILTON: But still, still the size of the  
22 structure, the fact that it's two stories, the amount of  
23 acreage required for the parking lots and the building  
24 itself --

25 CHAIRMAN VALENTIC: And 29 or whatever mounds for  
26 the --

27 MR. HAMILTON: Those things are not going to change.

28 CHAIRMAN VALENTIC: No, that's going to be there.  
29 They are going to still need parking lots, 127 parking spaces.  
30 I bet that number is not going to change. It is just where

1 they end up on the piece of property might certainly change.  
2 MR. HAMILTON: That's all I got.  
3 CHAIRMAN VALENTIC: You guys good?  
4 MR. GOLLING: Yeah.  
5 CHAIRMAN VALENTIC: Anything else? You guys want  
6 to -- Do you think we should put this to a vote to the Board?  
7 Are you guys comfortable voting?  
8 MR. HAMILTON: Myself, I am, sure.  
9 CHAIRMAN VALENTIC: Yeah, okay.  
10 MR. GOLLING: Yeah.  
11 MR. ROWE: Comfortable.  
12 CHAIRMAN VALENTIC: Okay. The question is on the  
13 approval of Conditional Use Permit 2017-15 (sic.), that the  
14 conditional use permit will meet all the applicable township,  
15 ODOT, county -- Who else am I missing?  
16 MR. GOLLING: EPA.  
17 CHAIRMAN VALENTIC: -- EPA approvals and  
18 requirements. A yes vote is for the approval of the  
19 conditional use permit, a no vote denies the conditional use  
20 permit.  
21 Heather, please call the vote.  
22 Oh, am I good?  
23 MS. LANDGRAF: You have a motion and a second.  
24 You're good.  
25 CHAIRMAN VALENTIC: Yeah.  
26 MS. FREEMAN: Mr. Rowe?  
27 MR. ROWE: No.  
28 MS. FREEMAN: Mr. Golling?  
29 MR. GOLLING: No.  
30 MS. FREEMAN: Mr. Hamilton?

1 MR. HAMILTON: No.

2 MS. FREEMAN: Mr. Valentic.

3 CHAIRMAN VALENTIC: No. The conditional use permit  
4 has been denied at this time.

5 Okay. Next on our agenda --

6 MS. LANDGRAF: You might want to take break. Let  
7 people leave.

8 CHAIRMAN VALENTIC: Sure, yeah. Let's -- We have one  
9 more thing on our agenda. We are going to recess and let  
10 everybody shuffle out that needs to shuffle out. And whoever  
11 wants to stay and hang out with us because we're fantastic,  
12 please stay.

13 (Whereupon, there was a recess from 8:32 p.m.  
14 until 8:37 p.m.)

15 MR. PIXLEY: Good afternoon. My name is --

16 CHAIRMAN VALENTIC: Hold on. Let me back up.

17 MR. PIXLEY: Oh, I'm sorry.

18 CHAIRMAN VALENTIC: No, you're good. Good evening.  
19 The Concord Township Board of Zoning Appeals meeting for  
20 September 20 -- September 13, 2017, is now back in session.

21 Next on our agenda is a Conditional Use Permit  
22 2017-6, Mr. Mike Warmington, of Graper & Warmington, Inc., is  
23 requesting a conditional use permit for outdoor storage of  
24 equipment in accordance with Section 13.05 and 13.32 for Avery  
25 Dennison Corp., for the property located at 7600 Auburn Road  
26 and being Permanent Parcel Number 08-A-019-0-00-042-0.

27 Go ahead.

28 MR. PIXLEY: All right. Good evening. So, actually,  
29 I am Derek Pixley. I am actually the facilities maintenance  
30 manager at Avery Dennison.

1 CHAIRMAN VALENTIC: Okay.

2 MR. PIXLEY: At that address, 7600 Auburn Road.

3 CHAIRMAN VALENTIC: And you've been sworn in?

4 MR. PIXLEY: Yes.

5 MS. LANDGRAF: Do you have authority to be here and  
6 speak on behalf of the applicant tonight?

7 MR. PIXLEY: Yes.

8 So a little bit about this project. What we're  
9 essentially looking to do is put in some new dust collectors.  
10 Currently, the ones that are actually located in our building,  
11 these basically take the dust or the fines off the product we  
12 make. We actually -- We're the engineered film division for  
13 all of Avery Dennison. We can make rolls of film, so  
14 everything from shampoo bottles, liquor bottles, things of that  
15 nature.

16 So inherently in our process we actually create dust,  
17 so these units capture it. So like I said, currently, they're  
18 located inside our building, all central to the building in our  
19 compounding area. What we're looking to do is replace these  
20 units with some modern units and it's part of our VPP process.

21 So we're a partner with OSHA and VPP. They come in  
22 periodically and audit us to help us get better continuously.  
23 We try not to wait until something happens. We want to get  
24 ahead of those incidents. So as part of that process, they  
25 come in, do audits, they look at our BMs, look at our equipment  
26 and say, "Hey, you guys can do better in these areas." So in  
27 our 2015 audit, they said, "Hey, let's look at this dust  
28 collection system. Rules are changing. There's more and more  
29 incidents in dust collection." If anybody's in manufacturing,  
30 in the industry, you can kind of see those trends.

1           So even though we are below it, KST value, which is  
2 explosive and flammability value -- explosion values typically  
3 are around 300 for highly flammable, we're about 92 -- they  
4 still recommended we make some changes. The units we have are  
5 over 25 years old. The OEM is no longer in operation. They've  
6 gone out of business many years ago.

7           So we are looking to go to, basically, the company  
8 that bought them out and buy modern units. These units are  
9 going to be located on the south side of our building, well  
10 within our property limits. We have over 300 feet in any  
11 direction.

12           These units, as far as noise, are about 85 decibels  
13 without silencers. With them, it is closer to 79, which is  
14 well below, you know, even a car driving by. So but, also, 300  
15 feet from our property limit, if you're on the limit of our  
16 property, it's going to sound about 35 decibels, which is  
17 basically like a library or an office, so you're not really  
18 going to hear much impact.

19           The location where they are, we already have a  
20 concrete pad there. We actually expanded that pad. It is  
21 already ongoing. That part was actually already approved, the  
22 building permit was.

23           Our zoning, I believe, is R-2, from our conversation,  
24 so we're light industrial, I believe. So as far as neighbors  
25 in our area, we've got Ricerca at the end of Auburn Road.  
26 We've got the hospital right in front of us. Behind us, from  
27 the county auditor map, you guys can kind of see there is  
28 nobody really behind us. So there really isn't much of an  
29 impact to anybody in the area.

30           There is no additional lighting. There's no road

1 changes. There is nothing really changing. We're just using  
2 the pre-existing concrete pad and we're expanding it  
3 approximately 19 feet.

4 As far as some of the other sections you guys were  
5 looking for, we, as far as property maintenance, we do a very  
6 good job of maintaining our property. We have several audits  
7 once a month internally and also externally. We also practice,  
8 you know, 5S and SixSigma practices looking for housekeeping,  
9 things of that nature. Anybody driving by, we've never really  
10 gotten any complaints. So we do a good job keeping that up.

11 As far as Section 6 of Section 13.32, we're not  
12 really storing anything, we're not putting any fleet vehicles  
13 back there. That's not changing, so that's not really  
14 applicable to us at this time.

15 The people that are involved in this project, we've  
16 had the EPA involved. We've got FM Global, our insurance  
17 company, involved with this process. Actually, the fire  
18 marshal has been involved in this process. They've actually  
19 reviewed our fire sprinkler plans for these units, which is one  
20 of the nice things about why we're going to newer units. I  
21 can't put fire protection in the old units, it's really not  
22 feasible. I don't have the room for it. I don't have the  
23 money for it. It's grossly expensive to put them inside the  
24 building. Getting them outside the building makes it more  
25 accessible for firefighters. I'm actually putting sprinklers  
26 in the units and also overhead on the roofing above them. It  
27 gives me a lot more protection than I currently have.

28 Inside the units, there is also going to be spark  
29 detection equipment that will help sense a failure. It will  
30 shut down automatically. It will kill air to that unit and

1 help suppress the fire.

2 As far as the units themselves, at the end of this,  
3 the packet I put together, I have also included most of the  
4 OEM description of what I'm actually purchasing so you guys  
5 kind of have an idea. The only thing I took out was pricing.  
6 Per my law department, I kind of had to do that.

7 So do you guys -- Actually, at this point, that's  
8 really all I have. I am sure you guys read through the  
9 majority of it --

10 CHAIRMAN VALENTIC: Yeah.

11 MR. PIXLEY: -- to kind of see what we're looking to  
12 accomplish. If you have any questions, I will be happy to  
13 answer them.

14 MR. HAMILTON: Just how volatile is, is the residue  
15 that you're collecting?

16 MR. PIXLEY: Like I said, it's a 92 KST value versus,  
17 like, standard flammability is 300, which would be something  
18 like saw dust.

19 MR. HAMILTON: Okay.

20 MR. PIXLEY: So a pile of saw dust is more flammable  
21 than what we're producing.

22 MR. HAMILTON: Right. And then what you have  
23 depicted here is the general location of --

24 MR. PIXLEY: Yeah, it was a little bit of a poor map  
25 but, yes, that little -- It's a zoomed in location.

26 MR. HAMILTON: Okay.

27 MR. PIXLEY: Basically, that's where the pad -- That  
28 red square is where the pad actually is now. We've actually  
29 already built that, actually poured cement there today. So  
30 that was basically just stone before. The two blue things are

1 the units themselves, not really to scale but it's close.  
2 These units are about 209 inches high, they're 100 inches deep  
3 and about 86 inches wide. They're going to be spaced about  
4 four feet apart and they're also going to be 13 feet to the  
5 east of my current cooling tower.

6 MR. HAMILTON: Thank you.

7 MR. PIXLEY: Yep.

8 MR. ROWE: Very good.

9 CHAIRMAN VALENTIC: Good? All right. Thanks. You  
10 can be seated.

11 If there is no one else here speaking for or against  
12 this appeal and there is no further questions, the public  
13 hearing for Conditional Use Permit 2017-6 is now closed to the  
14 public. I will entertain a motion to approve Conditional Use  
15 Permit 2017-6.

16 MR. ROWE: So moved.

17 CHAIRMAN VALENTIC: Second, anyone?

18 MR. GOLLING: Second.

19 CHAIRMAN VALENTIC: Thank you. Discussion, anyone?  
20 Do you guys have anything to add to the discussion?

21 MR. GOLLING: I was just confused. There was a  
22 little -- On the application, it said 109 by 37 and we had 47  
23 by 18. Beyond that, I don't know if it matters. It's a big  
24 concrete pad.

25 MR. ROWE: Yeah.

26 MR. GOLLING: They're putting stuff on it so they  
27 don't blow up. All right.

28 CHAIRMAN VALENTIC: All right. I'm good with that.

29 MR. ROWE: Well covered.

30 CHAIRMAN VALENTIC: Okay. So the question is on the

1 approval of Conditional Use Permit 2017-5 (sic.) A yes vote is  
2 for the approval of the permit, a no vote denies it.

3 Heather, please call the vote.

4 MS. FREEMAN: Mr. Hamilton?

5 MR. HAMILTON: Yes.

6 MS. FREEMAN: Mr. Rowe?

7 MR. ROWE: Yes.

8 MS. FREEMAN: Mr. Golling?

9 MR. GOLLING: Yes.

10 MS. FREEMAN: Mr. Valentic?

11 CHAIRMAN VALENTIC: Yes.

12 Congratulations. Your permit has been approved.

13 Thank you.

14 MR. PIXLEY: Thank you.

15 CHAIRMAN VALENTIC: Next on the agenda is the  
16 approval of minutes. I will call for a motion to approve the  
17 minutes from August 9, 2017.

18 MR. HAMILTON: So moved.

19 CHAIRMAN VALENTIC: Todd, do you --

20 MR. GOLLING: Second.

21 CHAIRMAN VALENTIC: Thank you.

22 MR. GOLLING: Sorry.

23 CHAIRMAN VALENTIC: No one else can really second  
24 that.

25 MR. HAMILTON: All in favor?

26 CHAIRMAN VALENTIC: All in favor? The question is on  
27 approval of minutes from August 9, 2017. All in favor please  
28 say "yes."

29 (Three aye votes, no nay votes, one abstention.)

30 CHAIRMAN VALENTIC: The minutes have been approved as

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30

written.

The next meeting for the Board of Zoning Appeals is October 11, 2017. The meeting for September 13, 2017, for the Board of Zoning Appeals is now closed. Thank you.

(Whereupon, the meeting was adjourned at 8:45 p.m.)

