

CONCORD TOWNSHIP ZONING COMMISSION
LAKE COUNTY, OHIO
REGULAR MEETING

Concord Town Hall
7229 Ravenna Road
Concord, Ohio 44077

November 7, 2017
7:00 p.m.

TRANSCRIPT OF PROCEEDINGS

Zoning Commission members present:

Andy Lingenfelter, Chairman
Gerard Morgan
Frank Schindler
Hiram Reppert, Alternate
Sue Germovsek, Alternate

Also Present:

Heather Freeman, Planning & Zoning Director/Zoning
Inspector
Sydney Martis, Planner/Assistant Zoning Inspector

Melton Reporting
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1 7:02 p.m.

2 CHAIRMAN LINGENFELTER: Good evening. I would like
3 to call this Concord Township Zoning Commission meeting to
4 order, Tuesday, November 7, 2017. We have a fairly busy
5 agenda this evening, so we will get right to it. First of
6 all, I would like to welcome Hiram and Sue to the table this
7 evening, being our most capable replacements and substitutes.
8 So our alternatives stepped up tonight to be with us, which is
9 nice, filling in for Rich and Morgan. So it is nice to have
10 you both with us this evening at the table.

11 MS. GERMOVSEK: Thank you.

12 MR. MORGAN: My pleasure.

13 MS. GERMOVSEK: It is good to be here.

14 CHAIRMAN LINGENFELTER: Good. The first item on the
15 agenda this evening is the amended site plan review,
16 Application Number 28, for Mr. Lance Osborne, of Crile Road
17 Partners LLC, for a proposed freestanding restaurant at the
18 Crile Crossing retail center located at 7689 Crile Road and
19 being Permanent Parcel Number 08-A-019-0-00-027-0.

20 And I am assuming that you're Mr. Osborne.

21 MR. OSBORNE: That's me.

22 CHAIRMAN LINGENFELTER: Have a little talk with us
23 this evening?

24 MR. OSBORNE: Yes, sir.

25 CHAIRMAN LINGENFELTER: Tell us what's going on.

26 MR. OSBORNE: Thank you for your time this evening.
27 And, once again, I am Lance Osborne, representing Crile Road
28 Partners.

29 CHAIRMAN LINGENFELTER: Would you give your address
30 for the record, please?

1 MR. OSBORNE: 7670 Tyler Boulevard, Mentor, Ohio
2 44060.

3 CHAIRMAN LINGENFELTER: Thank you.

4 MR. OSBORNE: As you see, here is the overall Crile
5 Crossing site plan. We have completed the Starbucks building,
6 the Crile Crossing number 2 building -- or number 3 building,
7 excuse me. We're under construction on building number 2
8 right now. And here tonight for a proposed Chipotle on the
9 fourth building, which is an outparcel on Crile Road, as you
10 will see right here.

11 Originally, we proposed a 3,900 square foot space
12 for that building. We've reduced the size to make it a single
13 tenant occupied building. It will have a patio, a pickup
14 window, and be your standard Chipotle on the indoors. We have
15 received BZA approval on those items. Last month, we received
16 that. And we're tonight here to update our site plan and,
17 hopefully, get the aesthetics of the building approved as
18 well.

19 So we've increased parking for the overall
20 development. And as you can see on a more zoomed in site
21 plan, that is what the building that we're on the agenda
22 tonight for, on closer perspective, and these are the proposed
23 elevations of the building. So we can get into this later on
24 the second agenda item but I just wanted to show you that.

25 So going back to the site plan, there was a concern
26 in the write-up which we've addressed with this plan regarding
27 the dumpster enclosure.

28 CHAIRMAN LINGENFELTER: Right.

29 MR. OSBORNE: So the dumpster enclosure has been
30 relocated off of the main drive and to the rear, basically,

1 facing Pizza Roto. That will be a three-sided masonry
2 enclosure with gates on the front of that dumpster enclosure.

3 CHAIRMAN LINGENFELTER: Okay.

4 MR. OSBORNE: So we've made accommodations to
5 relocate that. And everything else in the administrative
6 write-up seems to be acceptable and agreeable. And with that
7 being said, I am happy to address any questions related to the
8 site plan.

9 CHAIRMAN LINGENFELTER: Now, I'm -- I am not that
10 familiar with Chipotle. Are they traditionally a drive-thru
11 restaurant or --

12 MR. OSBORNE: No. So this will be one of the first
13 or second pickup windows, so it won't be a drive-thru per se.
14 So with the way you would order would be on your cell phone or
15 online and then you would come and pick it up at this window.
16 So you will not be able to order like you can from a standard,
17 like, the Starbucks per se.

18 CHAIRMAN LINGENFELTER: Right.

19 MR. OSBORNE: So my understanding is it's strictly a
20 pickup window. So this would be their second, probably, in
21 the state of Ohio. It's something they're exploring. But
22 Ohio has the largest concentration of phone orders in their
23 chain, basically, so they're trying to leverage that.

24 MS. GERMOVSEK: So it's still a drive up to pick up
25 though?

26 MR. OSBORNE: It's a drive, yeah, you can drive to
27 it, pick up and go on your way. There is also a door on the
28 north elevation, so you can also walk in, in case you wanted
29 to park and pick up, too.

30 CHAIRMAN LINGENFELTER: Do you know what their

1 hours, traditional hours of operation are?

2 MR. OSBORNE: Traditionally, I think they're like
3 10:00 to 10:00. They're a tenant of ours in Highland Heights
4 but I don't -- Don't quote me on that. It might go to 11:00
5 but I don't think they will be open any later than that.

6 CHAIRMAN LINGENFELTER: And there won't be any
7 speaker boxes or people ordering from their cars, basically?

8 MR. OSBORNE: My understanding, there will be no
9 speaker box.

10 CHAIRMAN LINGENFELTER: All right. Okay.
11 Interesting. I always thought Chipotle was kind of a, more of
12 a counter service type of a restaurant.

13 MR. OSBORNE: Right.

14 CHAIRMAN LINGENFELTER: It's nice that they're
15 interested to try something in Concord.

16 MR. OSBORNE: It's evolution, yeah.

17 CHAIRMAN LINGENFELTER: Okay. Heather, did the --
18 are you aware of the movement of the trash receptacle? Were
19 you aware of that?

20 MS. FREEMAN: Lance did provide that to our office.

21 CHAIRMAN LINGENFELTER: Okay.

22 MS. FREEMAN: However, it was after the staff write-
23 up was already prepared.

24 CHAIRMAN LINGENFELTER: Right, okay.

25 MS. FREEMAN: So I indicated that he could present
26 that to you this evening as part of the discussion on how he
27 was going to --

28 CHAIRMAN LINGENFELTER: Does the, does the
29 relocation of the dumpster fit within, you know, the
30 guidelines and everything? Does it fulfill everything that

1 needs to be done or does that need some further analysis?

2 MS. FREEMAN: Overall, I think it's a, it's a better
3 location than where it was originally proposed.

4 CHAIRMAN LINGENFELTER: Right. Yeah, the original
5 location, I thought, was kind of awkward. It was kind of
6 weird.

7 MR. OSBORNE: It could have presented an issue on
8 the drive-thru.

9 CHAIRMAN LINGENFELTER: Yeah, just kind of awkward
10 with traffic flow and things like that. So --

11 MS. FREEMAN: It is kind of a --

12 MR. REPPERT: Were you going to take out some
13 parking spaces with that new location?

14 MR. OSBORNE: Actually, we add parking spaces. The
15 site plan, updates we're doing to the site plan actually add
16 overall parking spaces to the development. But, yes, this
17 location will take up a couple of parking spaces we could have
18 had additionally but we're happy to make that the relocation.

19 MR. SCHINDLER: I assume that there is enough room
20 for the truck to come in and pick up the refuse?

21 MR. OSBORNE: Yes.

22 MR. SCHINDLER: So we're not putting any --

23 MR. OSBORNE: That's why we moved it more towards
24 the south. Let me get you that overall site plan. So that
25 when they are circulating through the property, they can just
26 pick it up there and go on their way. And then they're
27 usually there early in the morning doing their pickups, so it
28 should not interfere with operations of the center.

29 MR. SCHINDLER: Because I know those trucks are
30 pretty big.

1 MR. OSBORNE: Right.

2 MR. SCHINDLER: And I've been in places where they
3 have parking next to where the truck, you know, where the
4 refuse is. And when the trucks come in, they practically --
5 You see how they really struggle to pick up the stuff because
6 there's cars parked next to it.

7 MR. OSBORNE: Right.

8 MR. SCHINDLER: So this won't have that?

9 MR. OSBORNE: So this would be a confined enclosure.
10 They'll approach the enclosure, they'll have to open the gates
11 and then approach it and then close the gates back up.

12 MR. SCHINDLER: Gotcha. Thank you.

13 MR. OSBORNE: Sure.

14 MR. MORGAN: Have there been any traffic analyses
15 done with that pickup window, the proximity to the double
16 lanes going, with parking adjacent to there, of going in the
17 opposite direction?

18 MR. OSBORNE: It's, it's the same layout basically
19 that was approved with the Starbucks and we haven't had any
20 issues there. That's more of a main driveway than just the,
21 you know, just the parking aisle.

22 MR. MORGAN: Okay.

23 MR. OSBORNE: So, I mean, our engineers have looked
24 at it. Chipotle's engineers and architects have looked at it.
25 We haven't had it fully engineered by a traffic engineer but
26 we have had this site engineered by a traffic engineer and
27 this would actually reduce the perceived traffic as a
28 reduction of the square footage.

29 CHAIRMAN LINGENFELTER: Now, the, obviously, the
30 various Lake County entities have given us some feedback, lake

1 County Department of Utilities, the Lake County Engineer's
2 Office, the General Health District. They have some questions
3 on here about, you know, specifically, like General Health
4 District has asked, you know, plans for planetary -- or I am
5 sorry -- sanitary sewer extension and what's the time, time
6 frame for the project start to finish? Do you have any ideas
7 on that?

8 MS. FREEMAN: Excuse me, Mr. Chairman. I think you
9 flipped over to the other staff report.

10 CHAIRMAN LINGENFELTER: Oh, did I? I'm sorry.

11 MS. FREEMAN: You have the packets confused there.

12 CHAIRMAN LINGENFELTER: Okay.

13 MS. FREEMAN: Do you need another copy real quick of
14 this one?

15 CHAIRMAN LINGENFELTER: Are you talking about -- Am
16 I looking at the wrong one?

17 MS. FREEMAN: Yes.

18 CHAIRMAN LINGENFELTER: Yep, I sure am, son of a
19 gun. Okay. Hold on a minute.

20 MS. FREEMAN: If you want to pass that to him.

21 CHAIRMAN LINGENFELTER: I found it. Okay.

22 MS. FREEMAN: Okay.

23 CHAIRMAN LINGENFELTER: Nevermind. It doesn't look
24 like any of the Township Fire Department and Lake County
25 Engineer, Stormwater Management, Lake County Department of
26 Utilities, it doesn't look like they have any real
27 requirements or damning comments in this regard.

28 Staff analysis, there is about ten points on the
29 staff analysis and you have addressed, I would assume, these
30 issues at this point.

1 MR. OSBORNE: Um-hum.

2 CHAIRMAN LINGENFELTER: Then we have the staff, the
3 staff recommendations. How do you feel about the seven
4 different recommendations that are -- Do you have any problems
5 with the recommendations --

6 MR. OSBORNE: No, we have no problems.

7 CHAIRMAN LINGENFELTER: -- that the staff has
8 proffered?

9 MR. OSBORNE: No.

10 CHAIRMAN LINGENFELTER: Okay. All right. Why don't
11 you give us the design review component then.

12 Anybody have any questions on the Board? Anybody
13 have any issues, any questions they want to ask any further?

14 MR. REPPERT: No.

15 CHAIRMAN LINGENFELTER: No. Why don't you give us
16 the, give us the exterior elevation review.

17 MR. OSBORNE: Sure. So the plan is to carry out the
18 same masonry materials that have been used throughout the
19 shopping center, which is a decorative stone for the base --
20 and that's actually a full-bedded stone, so it's not just like
21 a lick-and-stick product -- and then the consistent red
22 masonry brick unit that you see throughout the project. And
23 then the decorative metal will be bronze, which is what we
24 have used throughout the project as well.

25 CHAIRMAN LINGENFELTER: So it is going to be pretty
26 much consistent with Starbucks and --

27 MR. OSBORNE: Yes.

28 CHAIRMAN LINGENFELTER: Everything else will be --

29 MR. OSBORNE: We have tried to keep it as consistent
30 as possible.

1 CHAIRMAN LINGENFELTER: Right, okay, good, good. I
2 think what you've done so far is very nice.

3 MR. OSBORNE: Thank you.

4 CHAIRMAN LINGENFELTER: What we have so far has been
5 a job well done. I think you guys have represented it
6 accurately and you have, pretty much, adhered to everything
7 you said you were going to do, which is nice. Appreciate
8 that.

9 MR. OSBORNE: Absolutely.

10 CHAIRMAN LINGENFELTER: Okay. Any other questions?

11 MR. REPERT: Do you typically put a drawing out
12 like that without telling me what building it is? There is
13 nothing on this drawing right here that shows me that it is
14 the Chipotle building.

15 MR. OSBORNE: I guess you're right. No. I
16 apologize for that but that is the proposed Chipotle building.

17 MR. REPERT: Chipotle building, okay.

18 MR. OSBORNE: Which is building 4 on the site plan.

19 MR. REPERT: I figured that but I just didn't see
20 it on there.

21 CHAIRMAN LINGENFELTER: Anything else?

22 MR. MORGAN: No, sir.

23 MS. GERMOVSEK: Not from me, no.

24 CHAIRMAN LINGENFELTER: Any questions, concerns,
25 issues?

26 MR. SCHINDLER: No.

27 CHAIRMAN LINGENFELTER: Okay. We have a
28 recommendation from the staff to conditionally approve the
29 design review and, evidently, we have had agreement to meet
30 those conditions, right?

1 MR. OSBORNE: Right.

2 CHAIRMAN LINGENFELTER: Exterior elevations, outdoor
3 patio elements and the dumpster enclosure plan, which we've
4 covered. So if we don't have any other questions, Heather, do
5 you have any other comments?

6 MS. FREEMAN: No, as long as Lance is okay, you
7 know, agrees with the other specific conditions, which then I
8 would recommend the Board --

9 CHAIRMAN LINGENFELTER: Okay. All right.

10 MS. FREEMAN: -- still have a conditional approval
11 based on those stipulations.

12 CHAIRMAN LINGENFELTER: Okay. At this point in
13 time, I would ask for a motion in the affirmative to accept
14 the proposal as presented with, of course, with the -- based
15 on the conditions that have been set forth by the staff.

16 MR. MORGAN: Mr. Chairman, I move to accept the
17 proposed -- what is this -- site plan review and then the
18 design review applications as conditioned, with the conditions
19 listed in the report from the staff.

20 CHAIRMAN LINGENFELTER: Thank you. Do I have a
21 second?

22 MR. REPERT: I'll second.

23 CHAIRMAN LINGENFELTER: The motion has been made and
24 seconded. All in favor say "aye." Opposed?

25 (Five aye votes, no nay votes.)

26 CHAIRMAN LINGENFELTER: Let the record reflect none
27 was opposed, all in favor were aye. So we have a full -- We
28 have a unanimous decision. Motion carries. We're good.

29 MR. OSBORNE: Is that the vote for 1 and 2?

30 CHAIRMAN LINGENFELTER: Yes, not -- for the, for the

1 Chipotle, right? Or were they both --

2 MS. FREEMAN: The way Gerry did the motion, he did
3 it for both the site plan review and the design review.

4 MR. REPERT: Site plan and the design review, yeah.

5 CHAIRMAN LINGENFELTER: Site plan, okay, yes. So we
6 are good to go with both then.

7 MR. OSBORNE: So both, all right, great.

8 MR. MORGAN: I probably should have done them
9 separately but we discussed them both together.

10 CHAIRMAN LINGENFELTER: That's all right.

11 MR. OSBORNE: All right, great. Thank you.

12 CHAIRMAN LINGENFELTER: We're all set. Thank you.

13 MR. OSBORNE: Have a good evening.

14 CHAIRMAN LINGENFELTER: Do you have any -- Do you
15 have any idea, before you step down, as to what's planned for
16 the other building at this point?

17 MR. OSBORNE: Right now, the building that's under
18 construction, we have signed leases with a pet store, Subway,
19 a yoga studio. We're working on a cell phone store and that's
20 really it for right now.

21 CHAIRMAN LINGENFELTER: A pet store like a, like
22 a --

23 MR. OSBORNE: Pet Value.

24 CHAIRMAN LINGENFELTER: Pet Value.

25 MR. OSBORNE: It's a national chain.

26 CHAIRMAN LINGENFELTER: Sure, very good. Thank you.

27 MR. OSBORNE: Sure.

28 CHAIRMAN LINGENFELTER: Okay. Now I've got to find
29 my agenda. Oh, here it is. Okay. Number -- Item Number 2 on
30 the agenda is design review, Application 028, that's -- We

1 just did that, right?

2 MR. REPPERT: Yes.

3 CHAIRMAN LINGENFELTER: So we go to Item Number 3,
4 site plan review, Application 031, for Mr. Donald Plunkett of
5 Studio One Design, for a proposed building addition and
6 reconstruction of commercial building at 8109 Crile Road and
7 being Permanent, Permanent Parcel Number 08-A-021-0-00-044-0.

8 MR. PLUNKETT: Good evening, I am Don Plunkett,
9 Studio One Design Group, working for Rt. 44 LLC. This is the
10 site plan. We are -- This is the existing building and this
11 is the addition we are looking at adding to the building. The
12 hardware store, Crile Hardware, is looking to move into that.
13 They're going to have that space and a portion of the existing
14 building.

15 We are looking at adding parking in the front.
16 Right now, there is parking in the front but it's single
17 loaded. With the storefront, we wanted to get some more
18 parking down there. We have the propane tank which came
19 before zoning appeals and was approved. It lines up with the
20 face of the building.

21 I don't know if you have any questions. The amount
22 of square footage we're adding is 2,667 square feet. And
23 we're 20 feet plus, 20 foot, I think, like 6 inch -- 2 inches
24 off the property line. This property line actually is on an
25 angle compared to the building but the closest is 20 feet, 2
26 inches. So we have our 20 foot side yard setback. The
27 building is behind the 50 foot setback.

28 We did meet with the Fire Chief to go over some of
29 his concerns. One of the things we need to do is add another
30 door on that elevation, which isn't shown yet but we're going

1 to get that shown and coordinated with the Do It Best Hardware
2 layout plan to make sure the doors work and we don't mess up
3 their layout. So we'll be submitting that.

4 There's a couple variances that we still have to get
5 and we're coming tomorrow night for those. One of them is our
6 parking. We're 20 -- We're less than 25 feet off. We're
7 supposed to be 25 feet but if we, if we move that up, we can't
8 get a double row of parking. So we would like to, you know,
9 request that we get that.

10 And then we also have an issue with, again, it has
11 to do with the angles of the building. We don't have 5 foot
12 for a landscape bed. We have 3 foot, 4 at the narrow end and
13 6 foot something at the far end, which averages out. But,
14 again, we're not, we're not asking for you to do that but we
15 just wanted to make you aware that we are -- we know we have
16 to still do that.

17 There is a couple other challenges we're still
18 trying to work through. One of them is the sanitary and, you
19 know, what comes first, the chicken or the egg? But we were
20 hoping, again, we're hoping by the time we get this open,
21 we'll be able to tie into the sanitary. If not, I guess we'll
22 be doing another septic system, but we've got to get that
23 finalized and we've been talking with them on that.

24 CHAIRMAN LINGENFELTER: So you're having
25 conversations now --

26 MR. PLUNKETT: Yes.

27 CHAIRMAN LINGENFELTER: -- with the General Health
28 District on this?

29 MR. PLUNKETT: Yes.

30 CHAIRMAN LINGENFELTER: Okay.

1 MS. GERMOVSEK: What have they said is the timeline?
2 Have they given any timeline?

3 MR. PLUNKETT: We keep hearing drawings are going to
4 be submitted but I don't know that. And it's really been
5 Dusty from Polaris who's been having those conversations.
6 He's our civil engineer. So --

7 MR. MORGAN: So that sewer extension is a county
8 extension or are you doing that as part of the project?

9 MR. GIORGI: The -- Do you want me to come up?

10 MR. PLUNKETT: Yes. I'll let --

11 CHAIRMAN LINGENFELTER: Can we get, can we get the
12 tripod over there so he doesn't have to stand there?

13 MR. PLUNKETT: Oh, thanks. I didn't even notice
14 after a while.

15 CHAIRMAN LINGENFELTER: Yeah, kind of awkward for
16 you there.

17 MR. GIORGI: My name is Mark Giorgi. I'm with
18 Route 44 LLC. And regarding the sanitary sewer --

19 CHAIRMAN LINGENFELTER: Thanks, Heather.
20 Go ahead. I am sorry.

21 MR. PLUNKETT: Okay, that's fine.

22 MR. GIORGI: The sanitary sewer is in front of Drug
23 Mart, to the north end of Drug Mart -- excuse me -- the south
24 end of Drug Mart's property. The next property down is --
25 we're one property south of that. A deal that Drug Mart made
26 with our north property owner was that they were going to use
27 a curb cut from their driveway, so they needed entrance for an
28 additional curb cut. For that use of the curb cut, they were
29 going to bring the, their san -- bring their sanitary to their
30 south end, which would be our north end. It hasn't happened

1 yet. So that's -- we're waiting for -- And they, last week,
2 they said they were supposed to have drawings there. So it's
3 hopefully within weeks. Once they get it to our north end,
4 then we can extend it.

5 MR. MORGAN: Okay.

6 MR. SCHINDLER: So it sounds like there is a lot of
7 things predicated on what-ifs and you're still waiting for all
8 this stuff, and yet we have to make a decision tonight.

9 MR. PLUNKETT: Yeah. Well, I mean, if it comes down
10 to it, we'll have to put in a -- because our addition is going
11 where the existing septic tank is, so we're going to have to
12 put a new one in.

13 MR. SCHINDLER: So if you don't get the approval --

14 MR. PLUNKETT: If we don't get that, I mean, we
15 don't have much other option. I mean, we would hate to do
16 that because we think it would be -- I mean, it's a lot of
17 money to spend for something that, hopefully, we wouldn't be
18 using.

19 MR. GIORGI: And we have, we have a deadline to be
20 out of the hardware store at a certain date for a future
21 tenant behind the hardware store. So it's, yeah, there is --
22 I don't know if it's the egg or the chicken, but --

23 MR. SCHINDLER: I know. But it seems like, if you
24 have to go with septic, isn't there more state approvals that
25 you have to have now in order to allow you to do that?
26 Because I know the state, over the years, has really come down
27 on septic systems and they're very restrictive just for homes,
28 let alone what it would be for a business like yours.

29 MR. GIORGI: If push came to shove, we would have to
30 pay and extend the sanitary sewer from Drug Mart ourselves.

1 MR. SCHINDLER: And absorb the cost to do that?

2 MR. GIORGI: Until someone tied into it and then we
3 would get paid back but we have done it in the past, but it's
4 a timing issue right now. If we don't have to do it, you
5 know -- And everyone says we shouldn't have to do it because
6 it is planned to go. It's part of an agreement between them,
7 a written agreement, which I have seen. But somehow, you
8 know, they won't, they won't get their occupancy because they
9 won't have a curb cut unless that sewer comes. So it's --

10 MR. SCHINDLER: So certain parties have written
11 agreements but then, again, to get you guys to move along with
12 this, it's still up in the air though.

13 MR. GIORGI: It is.

14 MR. SCHINDLER: And that being said, I don't know
15 how we would be able to approve something when there is so
16 much iffyness yet going on.

17 CHAIRMAN LINGENFELTER: That's very valid, Frank.
18 Thank you.

19 MR. SCHINDLER: Right.

20 CHAIRMAN LINGENFELTER: My, my, you know -- I am
21 reading the, you know, I have read the General Health
22 District's comments before and I am reading back through them
23 right now. And it seems like there is an issue here with the
24 holding tank and that you need some EPA, you know, some
25 approvals from the Ohio EPA and there is -- I'm not so sure
26 that, you know, from what I'm reading, that this is -- it is
27 kind of like an automatic here, you know, until you guys can
28 tie into the sewers. It seems to me like their position is
29 they would rather see you guys just tie into the sewers.

30 MR. GIORGI: So would we.

1 CHAIRMAN LINGENFELTER: Right.

2 MR. PLUNKETT: Yeah.

3 MR. GIORGI: We definitely would. At one point,
4 they had a temporary holding tank condition, if they knew
5 imminently that a sewer was coming down and you could go into
6 a holding tank. But then EPA saw that we had additional land
7 to the north and said, "Well, why don't you just build a new
8 system if your system is not working." But we know, so it's
9 -- I hear what you are saying.

10 CHAIRMAN LINGENFELTER: Because, you know, it says
11 here that the Board of Health has taken responsibility for
12 SFOSTS, which is the small flow on-site sewage treatment
13 system, shall not permit a holding tank. Holding tanks are
14 subject to the requirements of the EPA under Rule 3745-42-11
15 of the Administrative Code. The Ohio EPA has disapproved the
16 use of a holding tank located at 8109 Crile Road on October
17 6th of 2017.

18 And then it also says that the department recommends
19 soil testing and engineering to be conducted on separately
20 deeded property just north of 8109 Crile Road to determine if
21 a small flow on-site sewage treatment system is possible.
22 Please note, if possible, a SFOSTS must be sited on the same
23 parcel as the structures served by the SFOSTS.

24 So I'm a little bit concerned about what they're
25 saying here. It doesn't sound like they're willing to allow
26 this, you know, the holding tank. And have you done the, have
27 you done the engineering work and soil testing for this to
28 make sure that you can do this or --

29 MR. GIORGI: Well, they're asking us to do it on
30 our, on our separate parcel.

1 MR. PLUNKETT: Can you put a sewage system on a
2 separate parcel?

3 CHAIRMAN LINGENFELTER: It says it must be on, it
4 must be sited on the same parcel as the structure served by
5 the system.

6 MR. GIORGI: Right.

7 MS. FREEMAN: So you would probably have to do -- I
8 am sorry to interrupt. It sounds like they would want you to
9 adjust your lot lines.

10 CHAIRMAN LINGENFELTER: Right.

11 MS. FREEMAN: Which I believe you were planning on
12 doing to accommodate the additional parking. But, to me, the
13 issue whether they're going to do the sewer or the on-site
14 septic could be part of the conditional approval should you
15 want to still move forward and give them a conditional
16 approval.

17 I don't think, either way, it would affect the
18 zoning layout and compliance. And one of the conditions we
19 were suggesting is they still have to provide, before the
20 Township would release a zoning permit, proof of compliance
21 with either the Health District if they're going to do an
22 on-site septic or get their sewer plans approved. And
23 depending on which route they go, if it changed any layout and
24 this site plan deviated at all from what you may conditionally
25 approve this evening, they would have to present those changes
26 back to you.

27 CHAIRMAN LINGENFELTER: Right. Now, there is also,
28 in addition to these comments from the General Health, the
29 Concord Township Fire Department has recommended some changes.
30 Have you --

1 MR. PLUNKETT: Yeah, we met with them.

2 MR. GIORGI: We met with them. We're adding a
3 hydrant and an additional door.

4 MR. PLUNKETT: Yes.

5 CHAIRMAN LINGENFELTER: So they're comfortable with
6 the meeting? You guys, there is nothing --

7 MR. GIORGI: We met them last Friday, so it was
8 before -- or after this was written.

9 MR. REPERT: Didn't one of their comments indicate
10 a sprinkler system?

11 MR. PLUNKETT: That was one option. In order not
12 to, we need to change our two-hour wall to a three-hour wall
13 because he disagreed with our classification of S1 -- or S,
14 yeah, we called it S1. We called it S2, he says it's S1, and
15 that makes it need a three-hour wall. So our two-hour wall is
16 going to have to change to a three-hour wall, which will be
17 basically furring and drywalling both sides of that.

18 That, and then the door, there is a section he's
19 quoting that he wanted, for every 100 feet, we have a door and
20 we're going to put that on. Again, what we wanted to do
21 though was coordinate that with the layout from the hardware
22 for their racking and what have you just so we don't end up
23 with an oddball door with the racking. And then the hydrant.

24 MR. REPERT: But this comment here says the area of
25 the building being used as an M use group exceeds 12,000
26 square feet.

27 MR. PLUNKETT: It does, but we're allowed 12,500
28 with our separation wall. And again --

29 MR. REPERT: Okay, okay.

30 MR. PLUNKETT: And we'll have that on there, yeah.

1 MR. REPPERT: Okay.

2 MR. PLUNKETT: On our revised drawings.

3 CHAIRMAN LINGENFELTER: And are you familiar, are
4 you aware of all the staff analysis issues that they brought
5 up?

6 MR. PLUNKETT: Yes.

7 CHAIRMAN LINGENFELTER: And is there anything that
8 they have laid out -- It's a fairly lengthy list of items
9 here.

10 MR. PLUNKETT: Yes.

11 CHAIRMAN LINGENFELTER: We've got 18 items that they
12 brought up in their analysis and then, in addition to that, on
13 their staff recommendation they have 22 different items on
14 their recommendation list, more than what we normally see.
15 You know, I -- We don't usually see that many items on a list
16 to address. It seems like, you know, it seems like this list
17 is not very well prepared or --

18 MR. PLUNKETT: Well, I mean, there are some items on
19 there that, again, when we talk about the sight line and our
20 building has a three-foot parapet around the whole front of
21 the building and our units sit back 25 feet. And I think we
22 calculated up to 300 feet away, you can't see anything and
23 then, beyond that, you start seeing a fraction of it. If we
24 put screening in front of that, your screening is going to be
25 higher. I mean, again, you're never going to see more than a
26 few inches of that top of that mechanical, you know, HVAC
27 equipment. We want to put a screen on for people that are
28 over 300 feet away.

29 CHAIRMAN LINGENFELTER: Right.

30 MR. PLUNKETT: I mean --

1 CHAIRMAN LINGENFELTER: I understand time is of the
2 essence for you guys.

3 MR. PLUNKETT: Yes, correct.

4 CHAIRMAN LINGENFELTER: Believe me, don't think we
5 are not empathetic to that.

6 MR. PLUNKETT: No. I mean, there's just -- Again,
7 our fence around our dumpster enclosure, we will raise that to
8 eight feet. A lot of these things are relatively simple
9 things to do. There are some that take a little bit more work
10 but I don't see them as -- I don't think there are things that
11 are going to dramatically impede us in getting our drawings in
12 and satisfying the Township.

13 CHAIRMAN LINGENFELTER: Well, I mean, the bottom is
14 line is you have to meet these requirements.

15 MR. PLUNKETT: Yeah, right.

16 CHAIRMAN LINGENFELTER: They are going to be
17 conditions of the approval for your plans. So, you know, I
18 think you've got some work to do to make sure that you meet
19 these, that you meet all of these conditions.

20 On the staff recommendation on the conditional
21 approval of the design review subject to the conditions, with
22 regards to -- You mentioned the dumpster enclosure and the
23 building walls and parapets. You're all -- You're okay with
24 all that?

25 MR. PLUNKETT: Yes.

26 CHAIRMAN LINGENFELTER: No issues there. I
27 understand, like I said, I understand time is of the essence.
28 You guys have some timing issues and we certainly want to work
29 with you to, you know, to try to get -- help you out, but you
30 need to help us, too, to make sure that we get all these

1 things taken care of and that we get, we get these things
2 addressed as quickly as possible.

3 I'm, you know, personally, when I look at this, I am
4 a little queasy about it but I understand the process and I
5 understand, you know, the conditional approval process. And,
6 you know, as long as you're confident that you can meet these
7 requirements and finish up on all this and get this sewer
8 issue and sanitary issue resolved, you know, I am okay with
9 it.

10 MR. PLUNKETT: Okay.

11 CHAIRMAN LINGENFELTER: You know, Crile Road, you
12 know, Hardware has been an important part of our community for
13 a long time. Obviously, we don't want to see them, you know,
14 get pinched in the process, you know, if that's at all
15 possible. I'm glad they're moving down. I'm glad they're
16 staying in the community and not leaving. It is nice to see
17 that they're just going down the street, so that's a good
18 thing.

19 MR. GIORGI: We're just as queasy as owners, you
20 know.

21 CHAIRMAN LINGENFELTER: Yeah, I am glad I am not
22 standing where you're standing right now.

23 Okay. Any comments or any questions from the Board?

24 MS. GERMOVSEK: I have just one question. When you
25 mentioned the curb cut, who was responsible for the curb cut?

26 MR. PLUNKETT: That was not part of our --

27 MR. GIORGI: It's not part of our deal. But I am
28 saying that was part of a deal that was bringing the septic
29 system -- or the sewer system down. It was an agreement down
30 the street.

1 MS. GERMOVSEK: That was the written agreement?

2 MR. GIORGI: That's a written agreement.

3 MS. GERMOVSEK: Okay.

4 MR. GIORGI: It's on paper but it's not in dirt yet.

5 MS. GERMOVSEK: Okay.

6 CHAIRMAN LINGENFELTER: Gerry?

7 MR. MORGAN: No questions, sir.

8 CHAIRMAN LINGENFELTER: Hiram?

9 MR. REPPERT: No questions.

10 CHAIRMAN LINGENFELTER: Frank?

11 MR. SCHINDLER: Just the ones that I had. I mean,
12 this sounds like a very aggressive -- things that are going to
13 have to be done to meet deadlines.

14 CHAIRMAN LINGENFELTER: Right.

15 MR. SCHINDLER: And the thing of it is, when I see
16 so much that has to be done for deadlines, I don't want to
17 see, in the long term, cuts being made someplace that have an
18 adverse effect with not only what you're doing but what your
19 customer is looking to have done and then it becomes a
20 conflict with the Township trying to be able to work with you
21 to get stuff like this done. And when you start doing that,
22 then you start cutting corners, then I see problems.

23 But if you can assure us that you can meet all this
24 and take care of all the stipulations that are in here, I
25 mean, for me, go for it. Like Andy says, I want to see a good
26 client that's been in the township for many years staying here
27 and being happy with being done.

28 MR. GIORGI: And we want to keep them from having
29 their business being interrupted and stuff.

30 CHAIRMAN LINGENFELTER: Right.

1 MS. GERMOVSEK: Understandable.

2 MR. GIORGI: Do our best.

3 MR. SCHINDLER: Right, exactly.

4 MR. GIORGI: And there is timelines but the way this
5 is happening, a lot of this might not even happen until the
6 end of next summer but there are still things that have to
7 happen along the way. So --

8 CHAIRMAN LINGENFELTER: Right.

9 MR. GIORGI: And there's a lot of timelines but it's
10 not insurmountable. It doesn't have to be done by June.

11 MR. SCHINDLER: Okay. So a lot of this stuff right
12 now is still in the agreement stages and you won't be putting
13 a shovel in the dirt until, when, sometime next year?

14 MR. GIORGI: Well, we'd like to, if the fall stays
15 and we can get, you know, a December start, we might even try.

16 MR. SCHINDLER: So you will try to?

17 MR. GIORGI: Yeah.

18 MR. SCHINDLER: Weather permitting, you will try to
19 start?

20 MR. GIORGI: Just to get something going, yeah.

21 MR. SCHINDLER: Get something going.

22 CHAIRMAN LINGENFELTER: Okay. Well, the staff does
23 recommend conditional approval of the site plan as long as
24 they meet the conditions that were set forth and outlined, and
25 I haven't heard the applicants, you know, say that they have
26 any real problems with any of the issues that have been set
27 forth here. So I would entertain a motion to the affirmative.

28 MR. SCHINDLER: Mr. Chairman, I make a motion to
29 accept Donald Plunkett's Application 031 with all the
30 recommendations to be met for subject of approval.

1 CHAIRMAN LINGENFELTER: Okay. I have a motion made.
2 Do we have a second?

3 MR. REPPERT: I'll second.

4 CHAIRMAN LINGENFELTER: Motion made and seconded.
5 All those in favor say "aye." Any opposed?

6 (Five aye votes, no nay votes.)

7 CHAIRMAN LINGENFELTER: None opposed. Let the
8 record reflect it was unanimous decision.

9 Okay, guys.

10 MR. PLUNKETT: Okay. Was that -- I didn't even put
11 up the elevation. I don't know. Was that for both the plan
12 review and the building design? The addition is -- I've got
13 to throw my eyes on.

14 MS. FREEMAN: This is the design review.

15 MR. PLUNKETT: This is design. The addition is
16 actually just from here over. That's the proposed addition.

17 CHAIRMAN LINGENFELTER: Right.

18 MR. PLUNKETT: We're matching the, you know, the
19 EIFS system, the split face block. It wraps the corner and
20 comes back 100 feet. And so -- And that's the two elevations
21 that we're -- oh, and then the back elevation which is, again,
22 26 feet.

23 CHAIRMAN LINGENFELTER: Yeah. This doesn't look
24 like it's very intrusive.

25 MR. PLUNKETT: No.

26 CHAIRMAN LINGENFELTER: It looks like it's a
27 relatively minor addition to the building.

28 MR. PLUNKETT: Yes.

29 CHAIRMAN LINGENFELTER: That's going on Concord
30 Motor Sports, right?

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MR. PLUNKETT: Yes.

CHAIRMAN LINGENFELTER: Same building?

MR. PLUNKETT: Yes.

MR. GIORGI: The south end towards 84.

CHAIRMAN LINGENFELTER: Yeah, okay.

MR. PLUNKETT: Yes.

CHAIRMAN LINGENFELTER: All right. I think we're
all set.

MR. PLUNKETT: Okay.

CHAIRMAN LINGENFELTER: Thank you very much.

MS. FREEMAN: Mr. Chairman, I think you do need to
vote on design review as well. That was --

CHAIRMAN LINGENFELTER: Okay, yes. I'll accept a
motion in the affirmative on the design review. They've also
agreed to it subject to the following conditions.

MR. SCHINDLER: Mr. Chairman, I so move that we
accept the applicant's request for site plan review under 031,
Donald Plunkett, with following the stipulations as indicated
in the application to meet requirements as stated by the
various departments.

MR. REPERT: I'll second.

CHAIRMAN LINGENFELTER: Second. Motion made and
seconded. All in favor say "aye." Opposed?

(Five aye votes, no nay votes.)

CHAIRMAN LINGENFELTER: None opposed, let the record
reflect.

Okay. Thank you, gentlemen.

MR. GIORGI: Thanks, again.

CHAIRMAN LINGENFELTER: Good luck.

MR. SCHINDLER: Yeah, good luck.

1 CHAIRMAN LINGENFELTER: Okay. So that knocks off
2 the first four items on the agenda this evening.

3 MR. MORGAN: Correct, correct.

4 CHAIRMAN LINGENFELTER: Now we have a work session
5 to discuss proposed text amendments to the following sections
6 of the Zoning Resolution. And who is giving us a presentation
7 this evening?

8 MS. FREEMAN: Well, I think I had indicated I was --
9 I had reached out to Stephanie Landgraf, with Wiles and
10 Richards, our legal counsel, on a few items that we had been
11 discussing within these different various sections and I was
12 not able to get a meeting with her. She wanted to diligently
13 go through the details, making sure we're, you know, getting
14 everything right. So I would respectfully request that we
15 table the discussion on this until next month.

16 CHAIRMAN LINGENFELTER: Okay. All right. Based on
17 your request, Heather, we will go ahead and we will table Item
18 Number 5 on the agenda and put that back, throw that back on
19 there whenever you're ready on the next -- whenever you feel
20 that you're ready to pursue that.

21 MS. FREEMAN: Okay.

22 CHAIRMAN LINGENFELTER: Whether it's next month or
23 whatever.

24 MS. FREEMAN: Okay.

25 CHAIRMAN LINGENFELTER: Okay. Item Number 6 on the
26 agenda is the work session to discussion research on
27 microbreweries and urban wineries. And whoever did this, I am
28 hoping they brought samples tonight.

29 MS. MARTIS: Hi, Zoning Commission. I apologize.
30 I don't have samples but I do have some additional -- a

1 revised page 5 where I, kind of, did a little bit more
2 research and came up with a couple of suggestions on maybe
3 some new text that we could put into the Zoning Resolution.
4 And so this is just, just the suggestion for you to consider
5 and so I will pass this out to you and then we can kind of go
6 through it because I really feel like this is the product of
7 all the research that I conducted.

8 CHAIRMAN LINGENFELTER: Thank you.

9 MS. MARTIS: Sure.

10 MR. SCHINDLER: So you had a good time going around
11 to all these breweries, right?

12 MS. MARTIS: I did not go to all these breweries
13 yet, maybe some day. Okay. So, first, as you can see from
14 the packet, I am looking at page 5. I am going to kind of go
15 through that down. So I had done a lot of research on
16 microbreweries. I looked at the ones that you had suggested,
17 you know, Fat Heads, Great Lakes, Market Garden, other ones
18 around town. And I talked to a lot of the different zoning
19 officials in the different communities to see how they were
20 regulated and any sort of specific conditions if there is a
21 conditional use required.

22 And so first, for microbrewery, I think that our
23 definition is good, and I think that Heather's suggestion to
24 change "gallons" to "barrels" makes sense. And so one notable
25 person that I talked to was somebody at the City of North
26 Olmsted, where Fat Heads is located, and what she had told me
27 was that it is very challenging to regulate the brewing
28 capacity of a brewery because it's just hard for a zoning
29 official to know for sure what they're actually brewing. But
30 what we can regulate is some of the specific conditions that

1 they need to meet in order to get a conditional use approval,
2 so that's really where we should have our teeth in the
3 regulation of microbreweries.

4 So I think it would make sense to change the
5 definition to barrels as to the capacity. The reason why
6 15,000 is in there is because, according to the National
7 Brewers Association or whatever, 15,000 is the brewing
8 capacity of microbreweries. That's just their definition. So
9 that's why I think -- Originally, when 15,000 was put in,
10 that's was intention.

11 So as to a microdistillery, I think the definition
12 should, pretty much, stay the same.

13 I do think that we should add "tasting room" because
14 tasting room is what these breweries seem to be having. They
15 don't really call it a bar. They don't really call it a
16 restaurant, necessarily. It's a tasting room. That's just
17 the lingo currently. So I think that we should put that in
18 the Zoning, in the Zoning Resolution, as well as maybe define
19 it.

20 And so I came up with the definition for "urban
21 winery." The important distinction between an urban winery
22 and a regular winery is an urban winery sources fruit and
23 fruit juices from off property and they typically locate in,
24 you know, normal commercial business districts and they don't
25 necessarily grow their own grapes.

26 So this is something that we could see maybe in
27 Concord Plaza if there is enough room, you know, maybe even
28 Crile Crossing, potentially. So --

29 And then also we could have some sort of production
30 capacity. For urban wineries, usually the owners don't try to

1 produce a lot of wine because it's quality over quantity for
2 them.

3 So -- And then, also, there would probably be some
4 sort of retail sale area, so we have to think of how we're
5 going to address that in terms of parking and, you know, what
6 square footage that might be.

7 Okay. So I had looked at maybe some conditions to
8 put into Section 13. The specific conditions for a
9 conditional use permit for microbrewery and microdistillery or
10 urban winery -- I think we should add that in there. So,
11 first off, I think that we should expand the districts in
12 which they're conditionally permitted. So not only should we
13 conditionally permit them in Capital but potentially Gateway
14 Business District, potentially B-1, and then also potentially
15 BX. Depending on what your thoughts are, that might fit in
16 with the, you know, the businesses that are locating there
17 because a lot of times these might be just like restaurants,
18 and restaurants are permitted in all those districts.

19 So some additional specific conditions that we need
20 to address when reviewing conditional use permits for these
21 uses is looking at the potential impacts at maximum capacity,
22 at maximum production capacity. This is B under 13.35. So
23 some additional affects that we need to look at is special
24 event parking and then hours of operation, not only for the
25 tasting room but all operations. So what time will they be
26 brewing? What time will they be, you know, producing whatever
27 they're producing. What time will trucks be going through?
28 All those need to be looked at when the applicant applies for
29 a conditional use permit.

30 And so then in the Section 22 area, I propose maybe

1 some additional districts.

2 And then for the Section 21 area, I just kind of did
3 a preliminary sort of parking calculation. The unique thing
4 about these uses is that parking should be calculated two
5 ways. It should be calculated maybe similarly to how we
6 calculate for a restaurant in the tasting room area and then
7 calculated for more of, you know, warehouse or production or
8 manufacturing area in the square footage designated to the
9 tanks or, you know, fermenters or whatever they might have.

10 And then so some additional research will need to be
11 conducted on the retail component of these uses. Is it just
12 outright permitted in a tasting room or is there some
13 additional sort of regulations that should be placed upon that?

14 And then also something that I didn't look at but
15 does a brewery or larger production facility meet the
16 definition for light manufacturing and would be permitted in
17 BX, M and RD-2? As, Andy, you said before, a lot of times
18 these breweries, they want to expand in terms of brewing
19 capacity and that's how they make money. And so if they
20 outgrow their current site, I think it would be good if we had
21 a location in the township in which they could potentially
22 expand and put, you know, a larger sort of production
23 facility.

24 Actually, Voodoo, which I think you had told me to
25 look at in Pennsylvania, they were located just in a small
26 sort of commercial area and then they grew into an 84 Lumber
27 facility, which we have an 84 Lumber in our BX. So who knows
28 what it could be in the future?

29 But that was my research, and do you have any
30 questions?

1 MS. GERMOVSEK: So the expansion would be a separate
2 building? Say there is a brewery or microbrewery over here
3 and then, if they grew --

4 MS. MARTIS: Yeah.

5 MS. GERMOVSEK: -- it would just be their tanks or
6 something?

7 MS. MARTIS: Yeah, that's the thought. And then,
8 you know, this could look like what Market Garden just put in
9 downtown Cleveland next to the West Side Market, you know, an
10 area where they could offer tours and then maybe have a small
11 tasting room, maybe a small retail area, but the main use of
12 it would be the production facility. And that would alleviate
13 some of the, you know, traffic and production that would
14 happen at the, sort of, you know, microbrewery/restaurant sort
15 of place.

16 MS. GERMOVSEK: So the tours, that was my other
17 question. Like when you tour these breweries or wineries, is
18 that considered tasting? Because I know I've been on a couple
19 of these where you taste when you tour.

20 MS. MARTIS: Yeah, that's definitely an interesting,
21 you know, thing that we would need to look at further, like,
22 if they would have a tasting room. In sort of a larger
23 production facility, how would we calculate parking?

24 MR. SCHINDLER: Right.

25 MS. MARTIS: And then that just brings up so many
26 more questions but it's something that would need to be looked
27 at and maybe, maybe a brewery would need a conditional use
28 permit in these districts because they would need approved
29 that there is sufficient parking for, you know, like large
30 tours or something.

1 MR. SCHINDLER: Business wise, I work with Great
2 Lakes Brewery.

3 MS. MARTIS: Oh, really?

4 MR. SCHINDLER: Only because of the work that I do.

5 MS. MARTIS: Okay.

6 MR. SCHINDLER: And going through their plant, they
7 had run into a problem with sewage.

8 MS. MARTIS: Okay.

9 MR. SCHINDLER: The runoff that they are required to
10 do to sterilize their tanks and stuff became a hassle with the
11 City of Cleveland.

12 MS. MARTIS: I see.

13 MR. SCHINDLER: Have you looked into something like
14 that out here and how we'd be able to -- or they would have to
15 apply -- comply with those type of things for their
16 manufacturing of their product?

17 MS. MARTIS: Yeah. Well, at least for the
18 microbrewery use, which would be, you know, the establishment
19 in conjunction with the bar, restaurant or tasting room --

20 MR. SCHINDLER: Right.

21 MS. MARTIS: -- we would want to see the potential
22 impact of their waste disposal. So that's something that we
23 would want them to prove that they could adequately handle
24 waste disposal at maximum, like, brewing capacity.

25 MR. SCHINDLER: Right.

26 MS. MARTIS: But as I said before, I didn't really
27 look into too much the larger scale production facility but
28 that's something that we should do more future research on.

29 MR. SCHINDLER: We'd definitely have to do that
30 because, there again, getting back to what I got involved with

1 some -- a couple years ago, then they decided that they
2 couldn't meet capacity, they expanded in Cleveland and then
3 they started bringing another additional shift, which means
4 work was going on for two shifts.

5 MS. MARTIS: Sure.

6 MR. SCHINDLER: You know, and would it be something
7 that the people around here, for example, over time, would
8 they be able to accept a brewing going on for two shifts?

9 MS. MARTIS: Yeah, which we would want to know, at
10 least for the microbrewery, hours of all operation.

11 MR. SCHINDLER: Right.

12 MS. MARTIS: Any and all operation.

13 MR. SCHINDLER: Correct.

14 MS. MARTIS: And there have been instances in other
15 communities where, you know, a conditional use permit was only
16 valid for one year or unless anything changed and then they
17 could come back and maybe apply for a new permit or, you know,
18 apply in terms of the modifications. So that's something that
19 the BZA could potentially do as well.

20 MR. SCHINDLER: Yeah. They can renew licenses on a
21 basis that this stuff could be addressed because if it does
22 become a hardship or becomes a big burden on the township,
23 there has to be a way we should be able to cut that off, you
24 know, and --

25 MS. GERMOVSEK: Would that be with the barrels?

26 MR. MORGAN: I think that kind of goes back to our
27 discussion at the last meeting of what would we be looking for
28 in this? Are we looking for a, specifically, going to a
29 microbrew with a restaurant and not looking to have a
30 microbrew move into a bigger facility and brew where they have

1 the trucks coming in and out?

2 MR. SCHINDLER: Right.

3 MR. MORGAN: But I would think that we -- This
4 should remain as a, I would say, more of a conditional use and
5 part of that condition could be approval, have prior approval
6 from the sewer district or the Lake County Utilities or
7 whatever the utility happens to be that's operating that
8 approval of receiving that waste.

9 MR. SCHINDLER: Right.

10 MR. MORGAN: Because a lot of those require them to
11 have -- do some kind of pretreatment before it's allowed to be
12 discharged into --

13 MR. SCHINDLER: Big time.

14 MR. MORGAN: Yeah.

15 MR. SCHINDLER: Trust me, big time.

16 MR. MORGAN: Oh, I know. I've seen it.

17 MS. GERMOVSEK: It looks like your research shows
18 that Great Lakes Brewery has 160,000 barrels. We're at
19 15,000. That's a big difference.

20 MR. SCHINDLER: I think, in general, we're looking
21 at keeping something here as a --

22 MS. MARTIS: Yeah. So, so -- Sorry.

23 MR. SCHINDLER: Oh, excuse me. But keeping
24 something smaller, in other words, offering something for the
25 township but we can't let it get out of hand. In other words,
26 it could be a small place. We want them to thrive and have
27 their little restaurant and tasting rooms but not to allow it
28 to get something so massive in the township that could really
29 be a burden.

30 MS. MARTIS: Yeah, exactly. And, you know, if there

1 was going to be something so massive, like, what about them
2 opening a facility in RD-2, our Industrial District?

3 MR. SCHINDLER: Right.

4 MS. MARTIS: Where it's, you know, intended for the
5 traffic and the --

6 CHAIRMAN LINGENFELTER: I think making it a
7 conditional use in the RD-2 is a smart move. That way, if
8 they do grow, they can move to where they belong.

9 MR. SCHINDLER: Yeah, where it can support the size.

10 MS. MARTIS: Sure.

11 MR. SCHINDLER: Even with that, I think as a
12 township, we still have to be -- We're not like Cleveland.

13 MS. MARTIS: Yeah.

14 MR. SCHINDLER: A lot of these big cities --

15 MS. MARTIS: For sure.

16 MR. SCHINDLER: It's no big deal but for them but
17 for us, as a township, it could become a big deal. So I think
18 we have to look at how far we allow this to go. We have to
19 have restrictions that it is only going to grow this much and
20 that's it. You know what I mean?

21 MS. MARTIS: Sure.

22 MR. SCHINDLER: That's my opinion.

23 CHAIRMAN LINGENFELTER: My experience with
24 microbreweries is that most of them are pretty unobtrusive.

25 MR. SCHINDLER: Oh, I've been at a few, yeah.

26 CHAIRMAN LINGENFELTER: And if you go, most of these
27 facilities are not large. They're typically built within
28 existing commercial districts that are not -- They take up,
29 you know, an empty storefront or an empty building component
30 of a larger building or maybe some of them are stand-alone,

1 like Willoughby Brewing Company. But for the most part, you
2 know -- I think Fat Heads is a stand-alone building.

3 MS. MARTIS: Yes.

4 CHAIRMAN LINGENFELTER: But, you know, I think for
5 the most part, I think a lot of microbreweries are just, you
6 know, part of an existing structure. Now, in our area, we
7 don't have that kind of existing space available, so it's
8 probably something that's going to be built, purpose built.
9 So I think that having the option to go from BX or, you know,
10 some of the other districts and be able to move to RD-2 if
11 they would get that big or get that expansive, then that would
12 be a good option.

13 Obviously, you want to keep somebody, you know, if
14 they're growing like that, you want to keep -- you wouldn't
15 want them -- You wouldn't want to force them out, you know,
16 because we don't have the ability to accommodate them. We
17 want, we want to make sure that we're able to accommodate
18 their growth, if necessary.

19 MR. MORGAN: I think what we would want -- My
20 personal opinion on that would be to start with the
21 restaurant, the small micro.

22 CHAIRMAN LINGENFELTER: Exactly.

23 MR. MORGAN: If we start getting a couple in that
24 are starting to get to that point, then we come back and
25 readdress the idea of having that is a conditional use and add
26 on, add onto those conditions into the industrial, light
27 industrial area.

28 CHAIRMAN LINGENFELTER: Right, yep.

29 MR. SCHINDLER: I think the biggest thing that's
30 probably going to hold to that size would be the thing about,

1 like I say, waste and stuff. If the, you know, if the -- It
2 takes the capacity here, what we have in the township, I think
3 that would be the biggest governing factor.

4 MR. MORGAN: Right.

5 CHAIRMAN LINGENFELTER: Right.

6 MR. SCHINDLER: From what I've got involved with in
7 the past.

8 MS. MARTIS: Okay.

9 MR. SCHINDLER: Even though we probably maybe
10 wouldn't be able to allow them to grow any because they don't
11 have the capacity to handle the waste and the treatment that's
12 needed for those kind of establishments. So that, in itself,
13 would probably coincide.

14 CHAIRMAN LINGENFELTER: Right. I like the idea of
15 including the urban winery, too. I think that's a good -- I
16 think that's a good addition that rounds out, you know, the
17 full complement of those types of businesses. Having the
18 urban winery, the microdistillery and the microbrewery, I
19 think, gives all three options. I would really like to see
20 something like that come to the township. I think it would be
21 good for --

22 MS. GERMOVSEK: I agree.

23 CHAIRMAN LINGENFELTER: -- good for the township.
24 So nice work there, Sydney.

25 MS. MARTIS: Thanks.

26 MS. GERMOVSEK: Very nice. It was interesting.

27 MS. MARTIS: I am sure you will be hearing more
28 about this in the future. All right?

29 CHAIRMAN LINGENFELTER: Good. Thank you very much.
30 Appreciate it.

1 MR. SCHINDLER: Thank you.

2 MS. MARTIS: Thank you.

3 CHAIRMAN LINGENFELTER: Any further discussions on
4 that matter, gentlemen? Ladies? Excuse me. No slight
5 intended.

6 MS. GERMOVSEK: That's okay.

7 MR. REPERT: I will volunteer anytime for a road
8 trip.

9 CHAIRMAN LINGENFELTER: There is a lot, there's a
10 lot of microbreweries.

11 MR. REPERT: Oh, I guess, yeah.

12 CHAIRMAN LINGENFELTER: A lot of them. I think it
13 would be great to land something, a business like that in
14 Concord.

15 MR. REPERT: That would be nice.

16 CHAIRMAN LINGENFELTER: It's definitely a
17 destination type of a facility. People drive, you know,
18 people -- You would attract, you know, people from all around
19 this area geographically from, you know, a couple, two, three
20 hours away, Erie, you know, probably as far north as Buffalo
21 and Michigan, Detroit. People drive, I know, you know, people
22 that are --

23 MS. GERMOVSEK: Oh, really, yeah.

24 CHAIRMAN LINGENFELTER: People drive all over to go
25 to these microbreweries. It's definitely a destination
26 location, so it would be nice. It wouldn't be just for the
27 township. So it would be a good, it would be a good thing.

28 MS. GERMOVSEK: I have a question on urban winery.
29 Is that just that they don't grow their own grapes on the
30 premises?

1 CHAIRMAN LINGENFELTER: Right. They don't have
2 their own vineyard.

3 MS. GERMOVSEK: So it wouldn't be agriculture.

4 CHAIRMAN LINGENFELTER: Yeah. They're just -- They
5 buy juice. They buy large quantities of juice or whatever
6 their ingredients are in large quantities and then they, they
7 make it and they barrel it and ferment it on site but they
8 don't actually grow the grapes.

9 MR. SCHINDLER: Right.

10 CHAIRMAN LINGENFELTER: So it's pretty common. It's
11 not unusual.

12 MR. SCHINDLER: A lot of people make their own wine
13 at home.

14 MS. GERMOVSEK: Right. I mean, I know of
15 individuals who have done that. I just didn't know it was
16 called "urban."

17 CHAIRMAN LINGENFELTER: Oh, yeah.

18 Okay. Item Number 7 on the agenda this evening is a
19 correspondence report by Zoning Commissioners. Frank,
20 anything?

21 MR. SCHINDLER: Mr. Chairman, I have no, nothing to
22 report.

23 CHAIRMAN LINGENFELTER: Sue?

24 MS. GERMOVSEK: I do not either.

25 CHAIRMAN LINGENFELTER: Gerry?

26 MR. MORGAN: No correspondence, Mr. Chairman.

27 MR. REPERT: None here.

28 CHAIRMAN LINGENFELTER: None?

29 MR. REPERT: None.

30 CHAIRMAN LINGENFELTER: Wow. If social media is

1 included, there has been a lot of conversations and a lot of
2 correspondence but it's been mostly focused around the
3 election more than zoning issues.

4 MR. SCHINDLER: Yeah, a lot of things I have heard
5 people talk about.

6 CHAIRMAN LINGENFELTER: Right.

7 MR. SCHINDLER: But they haven't approached me about
8 anything.

9 MS. GERMOVSEK: No one bothered to email me.

10 MR. SCHINDLER: Yeah.

11 CHAIRMAN LINGENFELTER: Yep. Okay. Item Number 8
12 on the agenda is the audience portion of this evening's
13 meeting. We have some audience members here this evening. Is
14 there anybody that would like to come up and have anything to
15 say?

16 MS. HENRY: Oh, goodness gracious.

17 CHAIRMAN LINGENFELTER: Do you want to come up,
18 state your name, your address and, for the record, ask away
19 any questions, any input on the things we talked about this
20 evening?

21 MS. HENRY: I didn't realize I was going to be doing
22 this.

23 CHAIRMAN LINGENFELTER: That's okay. Come on up.
24 Nobody is making you do anything.

25 MR. SCHINDLER: You don't have to do it.

26 CHAIRMAN LINGENFELTER: You don't have to come up if
27 you don't want to.

28 MS. HENRY: That's okay.

29 CHAIRMAN LINGENFELTER: State your name and address
30 for the record, please.

1 MS. HENRY: Goodness. I'm Carol Henry, 6426 Fay
2 Road, Concord Township.

3 CHAIRMAN LINGENFELTER: Okay. Thank you.

4 MS. HENRY: 44077. I am here actually just to
5 observe how you do things. My son has recently moved back
6 into the area and he has some plans. Maybe microbrewery would
7 be a good idea.

8 MR. HENRY: Microbrewery is not in my list.

9 MS. HENRY: You don't want to start that type of
10 thing?

11 MR. HENRY: Not starting one, no.

12 MS. HENRY: But it's Chad Henry, that's my son. And
13 I recognize Frank. We did the block watch together. Do you
14 remember?

15 MR. SCHINDLER: Yes, I sure do.

16 MS. HENRY: You started it and then you gave me the
17 ball.

18 MR. SCHINDLER: Yeah.

19 MS. HENRY: And I think I remember you from Concord
20 Community Days, the auctioneer. Yes?

21 CHAIRMAN LINGENFELTER: Yes.

22 MS. HENRY: And I am sorry. I apologize. I don't
23 know everybody else. But I have lived in Concord for a good
24 many years and it was a lovely place to be, a lovely place to
25 live.

26 MS. GERMOVSEK: I agree.

27 MS. HENRY: Keep it nice, keep it small.

28 MR. SCHINDLER: We will. Good to see you, Carol.

29 MS. HENRY: Nice to see you again.

30 CHAIRMAN LINGENFELTER: Thanks for your comments.

1 MR. SCHINDLER: Thanks for your comments.

2 CHAIRMAN LINGENFELTER: Okay. The next meeting of
3 the Zoning Commission is December 5th. We okay with that,
4 Heather? Do we have enough to do?

5 MS. FREEMAN: Yeah, we should be able to do another
6 work session.

7 CHAIRMAN LINGENFELTER: Okay.

8 MS. FREEMAN: I don't -- I can -- We can have
9 further discussion on the microbreweries and wineries. And,
10 by then, I should have had that meeting with Stephanie, so
11 maybe we can, kind of, combine some of those and come back
12 with further discussion and see where we're at.

13 CHAIRMAN LINGENFELTER: Super, okay. All right.
14 Any other -- Anybody want to see anything on the agenda from
15 the Commission standpoint? Anything we need to talk about or
16 want to add to the, to the workload?

17 MR. SCHINDLER: Other than we have to approve the
18 minutes.

19 CHAIRMAN LINGENFELTER: Yeah. Who left that off?

20 MR. SCHINDLER: We left that --

21 MS. FREEMAN: The minutes weren't ready, so they're
22 not on the agenda. We should have the minutes, probably, for
23 the month October next month.

24 MR. SCHINDLER: Oh, okay.

25 CHAIRMAN LINGENFELTER: Very good. So we covered
26 the next meeting. If there is no further business in front of
27 the Board, I will adjourn this meeting.

28 (Whereupon, the meeting was adjourned at 8:06 p.m.)

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STATE OF OHIO)
COUNTY OF CUYAHOGA)

CERTIFICATE

I, Melinda A. Melton, Registered Professional Reporter, a notary public within and for the State of Ohio, duly commissioned and qualified, do hereby certify that, to the best of my ability, the foregoing proceeding extension reduced by me to stenotype shorthand, subsequently transcribed into typewritten manuscript; and that the foregoing is a true and accurate transcript of said proceedings so taken as aforesaid.

I do further certify that this proceeding took place at the time and place as specified in the foregoing caption and extension completed without adjournment.

I do further certify that I am not a friend, relative, or counsel for any party or otherwise interested in the outcome of these proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office this 28th day of November 2017.

Melinda A. Melton
Registered Professional Reporter

Notary Public within and for the
State of Ohio

My Commission Expires:
February 4, 2018