

CONCORD TOWNSHIP ZONING COMMISSION
LAKE COUNTY, OHIO
REGULAR MEETING

Concord Town Hall
7229 Ravenna Road
Concord, Ohio 44077

December 5, 2017
7:00 p.m.

TRANSCRIPT OF PROCEEDINGS

Zoning Commission members present:

Andy Lingenfelter, Chairman
Morgan McIntosh, Vice Chairman
Frank Schindler
Rich Peterson
Sue Germovsek, Alternate

Also Present:

Heather Freeman, Planning & Zoning Director/Zoning
Inspector

Melton Reporting
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1 7:01 p.m.

2 CHAIRMAN LINGENFELTER: Good evening. I would like
3 to call this Concord Township Zoning Commission meeting,
4 Tuesday, December 5th, 7:00 p.m., to order. We have a work
5 session on the agenda tonight discussing a number of the
6 amendments we have already been working on.

7 Before we get started, it looks like we've got a lot
8 of students here tonight, so I would like to welcome all of
9 you to government business. It's going to be pretty dry, so I
10 hope you, I hope you had some coffee or a Red Bull or
11 something before you came, but welcome. I hope you enjoy
12 yourselves. Make sure, if we need to sign anything or, you
13 know, for proof of your attendance, don't be afraid after the
14 meeting to stop up and, you know, we will get everything taken
15 care of everything for you. So thanks for coming.

16 Item Number 1 on the work -- on the agenda is a
17 work session to discuss the proposed text amendments to the
18 following sections of the Zoning Resolution. I think maybe,
19 before I talk about that, we will talk about the memorandum
20 because I think it kind of goes hand in hand with the, with
21 the work session here. It was produced by Heather and it's
22 regarding the proposed Zoning Commission text amendments.

23 Basically, it says, "The purpose of this memo is to
24 provide you with a summary of the changes in the proposed
25 zoning text amendments since our last discussion in October
26 and November of this year. Should you have any questions or
27 concerns we can discuss more at the meeting."

28 Section 5, Definitions: We're adding new
29 definitions for "urban winery," "tasting room" and modified
30 the existing definition of "microbrewery" and

1 "microdistillery."

2 Number 2, Section 13, Conditional Uses: Section
3 13.35, modified conditions to include urban winery.

4 Number 3, Section 22, Commercial and Industrial
5 Districts: Add additional uses to the BX District, including
6 microbrewery, microdistillery, urban winery and personal
7 services. Personal services are a type of retail
8 establishment that are compatible to traditional retail stores
9 and are desirable uses in the corridor. Also expanded
10 microbrewery, microdistillery and urban winery to be
11 conditional uses in the GB and the B-1 Districts and added
12 urban winery as a conditional use in the C District.

13 Section 15, on Point Number 4, Section 15,
14 Residential Districts: Dwellings must be set back a minimum
15 36 feet from the curb of any private road. This, in essence,
16 will allow four cars to be parked in the driveway with at
17 least two enclosed spaces that are already required in the
18 section. This should be adequate for guests. Without the
19 minimum setback from private drives, houses were being located
20 approximately 20 feet from the road, which only allowed two
21 cars to be parked rather than four.

22 And on the fifth point, Section 29, Off-Street
23 Parking: For multiple-family buildings, a minimum of four
24 parking spaces per unit are required, plus guest parking at a
25 rate of one space per unit; and added parking requirements for
26 the microbrewery, microdistillery and urban winery.

27 So that's in addition to what we're going to discuss
28 on the agenda this evening.

29 Heather, why don't you come on up and kind of review
30 everything that you've done between the last meeting and now

1 for us.

2 MS. FREEMAN: Okay. Yeah, so thank you. Andy, you
3 did, kind of, you read the memo. So I know at the last
4 meeting, Sydney presented the research that we had found on
5 the microbreweries, microdistilleries and the urban wineries
6 and, at that time, we had suggested some potential amendments.
7 As part of the packet tonight, I have incorporated some of
8 those in there for your consideration and we can discuss those
9 if you'd like.

10 Some of the regular members weren't present at that
11 meeting, so I don't know if you've read up on the minutes or
12 not. But if you are looking at the Definitions Section,
13 Section 5, page 15 -- or 5.15, if you recall, for microbrewery
14 we were proposing -- it's Number 125 for microbrewery -- to
15 modify the existing definition to reference a tasting room
16 rather than a tavern.

17 And then we are contemplating changing the brewing
18 capacity from the 15,000 barrels to gallons -- or from gallons
19 to barrels. I didn't have a good read on you whether or not
20 you thought the 15,000 barrels would be acceptable. I know
21 that that, kind of, is the industry terminology, based on our
22 research, that the microbrewery is somewhere between, you
23 know, 1,000 and up to 15,000 barrels. So that was -- We can
24 discuss that more if you guys want to. I know it's currently
25 set up as a conditional use. It still would be a conditional
26 use and that's regulated in Section 13.35.

27 And we are proposing a couple modifications in
28 there, too, that upon someone applying for a conditional use
29 to start one of those in Concord, that they would be required
30 to submit documentation that addresses potential impacts at

1 full brewing capacity. So if their maximum brewing capacity
2 is going to be 5,000 barrels per year and yet they're only
3 going to start off with maybe 500, they still need to provide
4 what the traffic impacts could be if they were going to brew
5 at full capacity, what other kind of potential impacts there
6 could be in relationship to wastewater treatment as well
7 because we felt that that could be an issue too with
8 discharging that into the sanitary sewer. We want to know if
9 there is adequate facilities for that, which is regulated by
10 the county. So we would be looking for them to provide that
11 documentation from the county that they have adequate
12 facilities for that.

13 And then while we were discussing, you know, the
14 microbrewing and microdistillery uses and looking a little bit
15 more at what an urban winery might look like, we started
16 looking at, well, where would it be compatible in Concord? As
17 you know, currently, the distilleries and the breweries are
18 allowed in the Capital District. And that's, for those that
19 don't know where that is, it's kind of located where the new
20 roundabout is at Auburn and Capital and then heading east to
21 State Route 44 and over to the new section, and over to Crile
22 Road. That is, like, the corridor of where it is zoned
23 Capital District. So it would have been very limited to that
24 area.

25 However, we were proposing to allow those uses
26 within the B-1 District, which some of that is located on
27 Crile Road, and then also the BX, which is also on Crile Road.
28 I am just grabbing my Zoning Map. I don't have that
29 memorized. Yeah, mainly, the -- And then there are some B-1
30 over on the western portion of the township by 84 and Old

1 Johnnycake. Some of the trends that we're seeing is the
2 microbreweries are actually kind of locating within, you know,
3 strip centers and also freestanding buildings. So I think
4 that those would be compatible uses in those district as well.

5 Yes?

6 MR. SCHINDLER: I noticed, in the microdistilleries,
7 we are referring to gallons rather than barrels like
8 microbreweries.

9 MS. FREEMAN: But that is, that is correct. That is
10 the way that they -- The distilleries and the breweries, kind
11 of, they view it, they measure it differently.

12 I don't know if you want to comment on that. You're
13 kind of a, Andy --

14 MR. SCHINDLER: Yeah, a connoisseur.

15 MS. FREEMAN: -- novice when it comes to that.

16 CHAIRMAN LINGENFELTER: What are you inferring?

17 MS. FREEMAN: You know a little bit about both.

18 So --

19 CHAIRMAN LINGENFELTER: No, I agree. I think that
20 -- And I think the research that was done previously, I think,
21 kind of covered all the bases on both the microbrewery and the
22 microdistillery, as well as the urban winery section. I think
23 that the quantities are right. I don't think that we're, you
24 know, hamstringing anybody that might want to bring that
25 business to the township and, you know, create that kind of an
26 environment.

27 Eight thousand gallons of, you know -- I happen to
28 meet, at a chamber meeting the other day, there was a guy that
29 was at my table that just opened up a -- I think he's been
30 around for a little while but he's got a microdistillery in

1 Perry off of Lane Road there down by the nuclear plant, and he
2 does 50 gallon, 50 gallon batches. So, you know, 50 gallons
3 is, when you're talking --

4 MR. SCHINDLER: Eight thousand.

5 CHAIRMAN LINGENFELTER: -- 8,000, that's a lot. You
6 know, he does 50 gallon batches. Now, that doesn't mean it's
7 just 50 gallons. I mean, he's doing multiple batches in a
8 month. But still, if he is doing, you know, three or four
9 hundred, you know, gallons a month, that's not even, you know,
10 close to touching, you know, the amount of microdistillery.
11 You know, 8,000 gallons per year, that's quite a bit. So I
12 think that's a good number.

13 And he's probably typical, you know, would be like a
14 typical example, you know. Just like Red Eagle out in
15 Madison, probably the same thing, you know, probably. I think
16 8,000, you know, gallons is a pretty good number for that, so
17 I think we're in pretty good shape there. So --

18 MR. PETERSON: Heather, I have a question. Going
19 back to the microbrewery, I just read where a company, a group
20 purchased a building in downtown Painesville and they're going
21 to turn it into a brew pub. Is a brew pub, definition wise,
22 the same as a microbrewery or is that different?

23 MS. FREEMAN: Even smaller.

24 MR. PETERSON: Okay. Do we, do we need a definition
25 in here for a brew pub? I mean --

26 MS. FREEMAN: I don't know because we, we specify a
27 maxium capacity. So I am wondering if a brew pub --

28 CHAIRMAN LINGENFELTER: But is a -- My question on
29 that, though, would be, is the brew pub producing or are they
30 importing?

1 MR. PETERSON: I don't know.

2 CHAIRMAN LINGENFELTER: Because not all brew pubs
3 are making beer on site.

4 MR. PETERSON: Right, right.

5 CHAIRMAN LINGENFELTER: Some brew pubs are,
6 basically, they just have a restaurant and they're, they're
7 specializing in beer. They have a lot of tap handles, you
8 know, a lot of different beers on tap but they don't really --

9 MR. PETERSON: Yeah. I didn't see in the article --

10 CHAIRMAN LINGENFELTER: Yeah, if they're brewing on
11 site or not.

12 MR. PETERSON: Right.

13 CHAIRMAN LINGENFELTER: That makes, I think, that
14 makes a difference, you know.

15 MR. PETERSON: Okay.

16 CHAIRMAN LINGENFELTER: But I don't know. You know,
17 that brings up a valid point though if you want to consider
18 adding, you know, brew pub or -- Well, technically, I mean, a
19 brew pub kind of falls almost pretty much in line with a bar/
20 restaurant.

21 MR. McINTOSH: I was going to say, our other zoning
22 ought to cover the ability to add that sort of -- If it's just
23 a bar/restaurant, I mean, brew pub is a phrase within that and
24 we should be already covering that, I would think.

25 MS. FREEMAN: Well, I think our definition of
26 "microbrewery" would include "brewery," which is, based on
27 the, some of the research that was presented last month and
28 just looking at it again real quickly, a brewery that produces
29 less than 1,000 is considered a very small brewing company.
30 Those between 1,000 and just under 15,000 is what's the

1 midsize, which we're coining as the microbrewery. And then
2 there is the brew pub that crafts less than 750 barrels.

3 CHAIRMAN LINGENFELTER: Yeah. We're capturing all
4 of that, from zero all the way up, yeah.

5 MS. FREEMAN: Yeah.

6 MR. PETERSON: So we're covered.

7 MS. FREEMAN: Yeah.

8 MR. PETERSON: Okay.

9 CHAIRMAN LINGENFELTER: It's a good point though,
10 Rich.

11 MS. FREEMAN: Yeah, it is. I read that article,
12 too.

13 MR. PETERSON: Yeah.

14 MS. FREEMAN: So if we're comfortable with that, I
15 would like to leave that in as one of the other amendments,
16 unless you feel otherwise. That was one of the other changes.

17 CHAIRMAN LINGENFELTER: Yeah, I think that's good.
18 I think we're good there.

19 MS. FREEMAN: So that kind of jumps, leads me back
20 into looking at the -- in Section 22, which is the Commercial/
21 Industrial District section, the Table of Permitted and
22 Conditional Uses. So we started looking at the Table of Uses
23 when I started putting in, you know, weighing the idea of, you
24 know, what districts would the microbrewery, microdistillery,
25 and urban winery be compatible in? There seemed, you know, a
26 couple other districts that we could add a few uses to.

27 One, you know, additional in the Business
28 Interchange District, personal services seemed to be a use
29 that would be compatible. As we know, like, retail is kind of
30 changing now and we're seeing less brick and mortar stores,

1 people going in buying clothes and things like that, but more
2 experience-based type of retail and service-type basis. So
3 the thought was to allow personal services in the BX. And
4 then after sending this, too, I was kind of thinking about the
5 B-2, we could also consider adding that as a permitted use in
6 the B-2 District.

7 Some of the B-2 is zoned right over here on Ravenna
8 Road. There can be an instance where maybe someone wants to
9 convert, you know -- we have a lot of nonconforming single-
10 family dwellings that are zoned commercial on the Ravenna Road
11 corridor where I could see maybe somebody coming in and
12 wanting to open up like a small hair salon or nail shop or
13 something like that. That would be a nice fit in that
14 district as well.

15 We're also getting some requests from some people
16 looking for suitable areas for a dry cleaner, which I know we
17 don't have one anymore in Concord. The one on the west side
18 closed. So if we can expand these districts too where that
19 might be a suitable use, there might be additional properties
20 where that could happen. That would fall under personal
21 services.

22 CHAIRMAN LINGENFELTER: I think it makes good sense.

23 MR. PETERSON: Yeah.

24 MS. FREEMAN: And then I know we had been, in
25 Section 15, which is the Residential District, we were talking
26 about the R-3 for quite some time on, do we require them to
27 have guest parking or what can we do to make sure, since it's
28 private streets in those developments, how can we make sure
29 that there is going to be adequate parking, off-street parking
30 for those, for those developments? And last month we had -- I

1 had suggested that we put in a minimum setback for the
2 dwellings off the private streets.

3 CHAIRMAN LINGENFELTER: Right.

4 MS. FREEMAN: So if you recall, in the R-3,
5 developers can build single-family detached cluster dwellings
6 which look like your traditional single-family home, but we
7 were finding that they were putting them like 20 feet off the
8 street, which in essence only allows you to park two cars in
9 the drive. And then people weren't using their garages for
10 cars, you know, they use them for storage and then there is
11 just not enough parking.

12 So the thought was to require the single-family
13 dwellings, detached cluster dwellings to be set back a minimum
14 of 36 feet from the curb of the private street, which would
15 allow the four cars to park.

16 And then the idea was for, if someone was going to
17 do a development with the multi-family buildings, which is
18 where you have the three to eight attached units, we would
19 require guest parking at a ratio -- I think we talked about
20 this in the past -- of one additional parking spot for every
21 five units built. So in that type of development, there would
22 be like small, little parking areas throughout the community.

23 But for the cluster dwellings, I think it would be
24 easier maintenance wise and look nicer if we weren't having
25 the small little parking areas for the single-family homes.

26 MR. PETERSON: The cluster homes that are going in
27 now in Crile in Quail Hollow, are they -- Do you know what
28 they are as far as setback?

29 MS. FREEMAN: The setbacks, that's the PUD District,
30 which it's very, you know -- There aren't really any minimums

1 set. It's another thing where we can't -- we don't have a lot
2 of say. But I think they're ranging around 21 to 25 feet
3 setback but -- So by putting it in now for the R-3, anything
4 new is going to have to meet it. Obviously, we can't retro
5 anything. Anything that exists is still going to be lawful.

6 CHAIRMAN LINGENFELTER: Yeah, we can't go back and
7 change what's already --

8 MS. FREEMAN: Yeah.

9 CHAIRMAN LINGENFELTER: -- in process but we can
10 certainly, you know, be proactive moving forward. I think
11 that's a, I think that's good idea to do that.

12 MR. McINTOSH: Yeah.

13 MS. GERMOVSEK: So guest parking would be one
14 additional per how many?

15 MS. FREEMAN: One additional for every five units.

16 MS. GERMOVSEK: For every five.

17 MS. FREEMAN: And that's for if they build the
18 multi-family buildings, the actual buildings with three to
19 eight units attached. And that's in Section 29, we added that
20 to the table, the parking table. So if you are looking on
21 page 29.5, we have -- I have also included in the table
22 specifically the detached single-family cluster dwellings to,
23 kind of, back up the setback, that they have to provide four
24 spaces per unit and two shall be enclosed. Actually, that's
25 the same. Under the multi-family dwelling, added the plus
26 guest parking at a ratio of one space for every five dwelling
27 units.

28 And then while we're looking at that table, too, we
29 went ahead and included in a parking tally for the
30 microbrewery, distillery and urban winery, must provide one

1 space for every 75 square feet of usable area in the bar,
2 restaurant and tasting room area, plus one space for every
3 employee on max shift, plus one space for every 400 square
4 feet of the gross floor area of the production area. And that
5 would be where they're producing.

6 I had some other things marked here. Oh, there was,
7 back in the landscape section on page 38, I guess it's .4, I
8 met with -- I spoke again with Lake County Stormwater
9 Department in regards to some of the stormwater provisions
10 that we were adding to the parking section, allowing the
11 bioretention and the permeable pavers because, after the last
12 meeting, Gerry had a question on whether or not one of the
13 things we had in the parking section that related to lot
14 coverage was going to conflict with how the county calculated
15 impervious surface area.

16 So I had a conversation with them and they went
17 ahead and reviewed the text that we were proposing in the
18 parking section that allows the permeable pavers and the
19 porous pavement and the bioretention within the parking
20 islands, and they were pleased to see that zoning even cared
21 about that. They thought it was kind of neat and they were
22 good with what we were putting in there. They did have one
23 suggestion, that we remove the ability for folks to allow to
24 do sand filters. And, honestly, I am not really clear what
25 that is. I know that was modeling which -- that was given to
26 us from Chagrin River Watershed Partners. So I took out the
27 line item that referred to sand filters. But I did notice,
28 after sending this to you, there was a reference still to that
29 in Section 38, on page 38.4, paragraph G.

30 CHAIRMAN LINGENFELTER: The revised 38.4?

1 MS. FREEMAN: Yeah, yeah, I think it was.

2 CHAIRMAN LINGENFELTER: That was where?

3 MR. PETERSON: It's in G.

4 CHAIRMAN LINGENFELTER: Paragraph G.

5 MS. FREEMAN: Right above the photo that shows the
6 figure.

7 CHAIRMAN LINGENFELTER: Oh, okay, yeah.

8 MR. McINTOSH: So you were wanting to remove it.

9 MS. FREEMAN: So as permitted in Section 29.06(D),
10 "any interior landscaping island where bioretention cells,"
11 and I was going to strike out, if you could strike out in your
12 copy there, "or sand filters," because we were not going to
13 permit those, "bioretention cells are proposed."

14 CHAIRMAN LINGENFELTER: What was the reasoning?

15 MS. FREEMAN: I think it was because the maintenance
16 on them, they, they struggle with making sure that they're
17 working properly and they're not something that the county is
18 really approving as part of their retention. The bioretention
19 cells, they're comfortable with as far as allowing, you know,
20 approving as part of their stormwater management, stormwater
21 quality, but the sand filters were something that they didn't
22 think that they would even allow. So they were suggesting
23 that we just take that out.

24 MR. SCHINDLER: Because it doesn't do an adequate
25 job or too much maintenance?

26 MS. FREEMAN: I think it's a lot of the maintenance
27 and then just it's the concept isn't something that they have
28 approved. I can get back to you a hundred percent on that
29 but --

30 MR. SCHINDLER: Because sand has a tendency to

1 absorb and filter better than other, you know, means as far as
2 landscaping is concerned. I just know about that based on
3 some personal, personal involvement in the past. I think it's
4 maintenance.

5 MS. FREEMAN: Well, yeah.

6 MR. SCHINDLER: I will bet it's maintenance.

7 MS. FREEMAN: It's probably the maintenance, yeah.

8 MR. SCHINDLER: Because it has such good
9 capabilities of filtering.

10 CHAIRMAN LINGENFELTER: So what's the fear then,
11 that the building or property owner won't properly maintain
12 it? Is that the fear or --

13 MR. SCHINDLER: I think the county doesn't want to
14 do it. They get involved with, especially when they have
15 sewer problems and stuff, that can become a hassle. You have
16 to be more religious in taking care of that kind of a system,
17 especially when you live up in this climate around here with
18 the snow and the salt and everything that we have here.

19 MR. PETERSON: True.

20 MR. SCHINDLER: It becomes more of a -- I am sure
21 it's probably a maintenance issue. Down south, they use it a
22 lot.

23 MS. FREEMAN: Yeah.

24 MR. SCHINDLER: Yeah. I am sure that's probably it,
25 but if you don't mind confirming that.

26 MS. FREEMAN: Sure, yeah. Just on that topic
27 anyway, we wouldn't, as you know, the Township wouldn't be
28 reviewing the details of whatever that -- whatever the plans
29 were for the bioretention or the sand filters if they were
30 going to be doing that.

1 CHAIRMAN LINGENFELTER: Is that controlled by the
2 county?

3 MS. FREEMAN: The county would approve that as part
4 of their stormwater management requirements. You know, they
5 have to treat not only the amount of stormwater that's flowing
6 off the property but the quality of that stormwater, too, and
7 that's where the bioretention cells and the potential sand
8 filters come in, for treating quality of the water.

9 MR. SCHINDLER: Sure.

10 MS. FREEMAN: It's part of the Ohio EPA Phase 2
11 requirements. But they -- We do, we are adding a provision in
12 here, too, that requires folks to put up a small sign
13 indicating that you can't push snow on these areas because
14 that tends to be an issue, too.

15 CHAIRMAN LINGENFELTER: Right.

16 MS. FREEMAN: So that was -- The county was very
17 happy to see that we were going to do that, too, because you
18 can tell your snowplow guys not to push snow somewhere but, I
19 mean, they're not going to know if they have someone else
20 coming in. Hopefully, if there is a sign saying, "Don't push
21 snow here," then they won't.

22 So that kind of, that kind of wraps up and
23 elaborates a little bit more based on what was in the memo
24 here. I know we pretty much talked about everything else ad
25 nauseam, so I don't know if there is anything else anyone else
26 wants to bring up or didn't want to include in here.

27 CHAIRMAN LINGENFELTER: Nope.

28 MS. FREEMAN: Or if we want to maybe accept these
29 changes and if you're ready to maybe move forward with
30 scheduling a public hearing, we can do that. If you want to

1 take a little bit more time, we can do that, too.

2 MR. SCHINDLER: When we have the public hearing, all
3 of this is available to the public, right, here? Is it on the
4 TV, too, where they can scroll through it if they want?

5 MS. FREEMAN: The amendments?

6 MR. SCHINDLER: Yeah.

7 MS. FREEMAN: We can post it on the website, too,
8 yeah.

9 MR. PETERSON: That would be a good idea.

10 MR. SCHINDLER: That was the biggest thing that they
11 were complaining about during the election, using it as a
12 negative.

13 MS. FREEMAN: Yeah.

14 MR. SCHINDLER: That the public wasn't keeping
15 informed of everything we were doing, which you know is a
16 bunch of you know what.

17 MS. FREEMAN: Yeah.

18 MR. SCHINDLER: So I just want to confirm that, you
19 know, that it's going --

20 MS. FREEMAN: Yeah, I'll post it on the website.

21 MR. SCHINDLER: -- to be here for them to come in or
22 they can see it on the TV. I mean, I don't know how much more
23 we can do other than spoon feed people, you know, this
24 information that's readily available but they just don't take
25 time to come and research it. But yet when something comes
26 up, they're out there screaming and yelling that we were doing
27 something behind closed doors, and that upsets me to no end,
28 as you can see.

29 MS. FREEMAN: Well, I mean, anyone that has -- wants
30 to request a copy, if they can't find it on the website, or

1 wants to come in and view it or wants to just talk about it or
2 doesn't understand it, we are always willing to do that.

3 MR. SCHINDLER: Okay. Thank you.

4 MS. GERMOVSEK: So you would post this agenda and
5 all the --

6 MS. FREEMAN: And I have this, you know, as I email
7 it to you guys every month or we try to, the document is not
8 that big. I can post that right on our website, on the Zoning
9 Commission page or on the home page of the Zoning Department.
10 If we -- I mean, all the agendas and the transcripts and the
11 videos are always linked on the website, too, so you can go
12 back and view previous work sessions and tonight's meeting and
13 --

14 MR. SCHINDLER: How long do we keep videos of our
15 meetings?

16 MS. FREEMAN: How -- You know what? I am not clear
17 on the records retention policy of the meetings. I don't
18 know.

19 MR. SCHINDLER: Because you know we've been working
20 on this, for example, for a long time.

21 MS. FREEMAN: Yeah. I think we have at least all of
22 last year. I know we had a problem. We lost some videos due
23 to some issues with the previous system that we were using.
24 Now we're posting all the videos on YouTube, so we shouldn't
25 have any problems keeping those in perpetuity, honestly. At
26 some point, we will probably have to delete some but I don't
27 know the policy offhand. I can find out for you.

28 MR. SCHINDLER: Yeah. Would you, please?

29 MS. FREEMAN: Yeah.

30 MR. SCHINDLER: So I can answer phone calls when

1 people ask.

2 MS. FREEMAN: But the, yeah, I mean, the
3 transcripts, we keep those forever.

4 MR. McINTOSH: Okay.

5 MS. FREEMAN: So those will always be there and you
6 can read it word for word.

7 MR. SCHINDLER: Okay.

8 MS. FREEMAN: Do you have any other questions for me
9 at this point? No? Okay.

10 MS. GERMOVSEK: I don't have any.

11 CHAIRMAN LINGENFELTER: Anybody from the Board have
12 any comments or questions with regards to the work session on
13 the amendments, Numbers 1 through 11?

14 MR. SCHINDLER: As far as I can see scanning through
15 here, I didn't notice anything inappropriate or anything
16 different than what we have discussed in the past, unless I
17 missed something.

18 MS. GERMOVSEK: I would agree.

19 MR. PETERSON: I saw nothing new or out of the
20 ordinary.

21 MR. SCHINDLER: Right.

22 MR. McINTOSH: Consistent with the work we've been
23 doing. I mean, we've had a couple months here, a little
24 rework, and then we've been working on the lion's share of
25 these well into last year. So I think it represents a good
26 body of work, so I think we can move forward with public
27 hearing.

28 CHAIRMAN LINGENFELTER: Yeah, I think we're pretty
29 good, Heather, on this. I don't really see, you know -- We've
30 kind of gone over this multiple times, reviewed everything,

1 and I think we're, I think we're ready. Do you think we're
2 ready? I mean, getting legal to review and --

3 MS. FREEMAN: Yeah. I did, I did meet with legal
4 between last meeting and this month to review the provisions
5 that we were changing in regards specifically to the site plan
6 review and just making sure the language was correct, tight
7 between that section and design review and the zoning permit
8 requirements.

9 CHAIRMAN LINGENFELTER: Did we get any, is there
10 any -- Do you think there will be any feedback or whatever
11 from the Lake County Planning Commission?

12 MS. FREEMAN: Based on their previous comments, they
13 probably will have some repeat modifications but, overall, I
14 am confident that they will suggest or that they'll recommend
15 that we adopt the amendments with some modifications. We will
16 see what those are.

17 CHAIRMAN LINGENFELTER: Right.

18 MS. FREEMAN: Just based on what we did previously.

19 CHAIRMAN LINGENFELTER: Any of the county entities
20 need to weigh in? For the most part, we're good or --

21 MS. FREEMAN: I mean, as I said, I met with Soil and
22 Water -- I mean Stormwater in regards to that. I think that
23 was the bulk of the, you know, most of the amendments. So I
24 don't feel like we need to meet with any other county agencies
25 on any other small changes we're making.

26 CHAIRMAN LINGENFELTER: Right.

27 MR. SCHINDLER: When the state comes down with new
28 changes to regulations, no matter what it might be, do we have
29 to go back, are they requiring us to go back and make changes
30 on this right away? You know, like when they change things

1 like, for example, for septic systems and that kind of stuff,
2 does the state -- we revert to the state? If they make a
3 change, it automatically reverts to the state requirement
4 rather than this? Because I know we try to make changes to
5 keep relatively to the state requirements.

6 MS. FREEMAN: Right. Well, that specific example,
7 if there were changes in septic laws, we wouldn't have
8 anything, really, anything to change in our zoning per se
9 because we're not regulating septic systems in the zoning
10 code.

11 MR. SCHINDLER: Right.

12 MS. FREEMAN: But where we might need to make
13 changes to the zoning code is when they make changes to the
14 Ohio Revised Code in regards to what townships can regulate as
15 far as zoning, so 519.12, 519.21. I know they, last year,
16 they had some changes to the ORC that allows townships to
17 regulate agribusinesses or ag, like, the agritourism. So if
18 we wanted to make changes to regulate that somewhat within
19 Concord, we could. But we're pretty current with what the
20 statute says as far as what townships are allowed to regulate
21 as far as zoning goes. We try to keep our eyes open to those
22 amendments and decide whether or not we need to make changes.

23 One topic that we haven't really discussed as a
24 township is the medical marijuana growing facilities and
25 dispensaries and whether or not those are uses that we would
26 want to permit or not permit in the community. We have had a
27 few inquiries from people that are looking to locate
28 dispensaries. I've probably responded to about three
29 different inquiries asking what the stance was from the
30 township yet. And, basically, the response was that we hadn't

1 really broached that subject.

2 I know, up until the last couple months, we really
3 weren't clear on how the state was going to regulate it, so we
4 are kind of waiting to see. That might be something that we
5 need to look at or, at least, discuss and decide, get some
6 input, obviously, from the community if that's a use that
7 would be desirable in our community or not. I mean, that
8 would be an example of how we may or may not need to change
9 zoning based on state law.

10 CHAIRMAN LINGENFELTER: Can we, can we technically
11 prohibit it?

12 MS. FREEMAN: I think you can, yeah, I mean as a
13 use.

14 CHAIRMAN LINGENFELTER: Didn't we run into that with
15 the, with the gaming?

16 MS. FREEMAN: Oh.

17 CHAIRMAN LINGENFELTER: The casino, you know, the
18 online gaming facilities, didn't we run into that where we had
19 to, we had allow it but we could really be restrictive as to
20 where it could go?

21 MS. FREEMAN: I am not sure on that one. I wasn't
22 in this position at that time.

23 MR. PETERSON: I do remember that. I do remember
24 that.

25 MR. McINTOSH: The internet cafes.

26 CHAIRMAN LINGENFELTER: Yeah, the internet cafe
27 stuff.

28 MR. McINTOSH: We talked about that, yeah.

29 CHAIRMAN LINGENFELTER: Yeah, because I was, I was
30 under the impression that we couldn't prohibit it completely,

1 we had to make allowances, but we could, but we could be very
2 specific and put some real difficult requirements on it to
3 where it would make it undesirable.

4 MR. McINTOSH: Yeah, same with the SOBs, too.

5 MS. FREEMAN: Yes.

6 MR. McINTOSH: Sexually-oriented businesses, we
7 have, we have to allow it somewhere in the township.

8 CHAIRMAN LINGENFELTER: Yeah, we can't prohibit it.

9 MR. McINTOSH: Correct.

10 CHAIRMAN LINGENFELTER: Because of some -- Did it
11 have to do with the Ohio Revised -- with Ohio?

12 MS. FREEMAN: I think that's federal maybe.

13 CHAIRMAN LINGENFELTER: Is it federal?

14 MS. FREEMAN: Yeah. I know with the SOBs, you can't
15 prohibit those. You have to accommodate them somewhere but
16 you can be very strict, as we've decided to do, on those.

17 CHAIRMAN LINGENFELTER: Because I remember having
18 conversations a while ago about the internet cafes.

19 MR. McINTOSH: I think gambling as a by-product of
20 what they offer was one of the issues we talked about then
21 but --

22 CHAIRMAN LINGENFELTER: Yeah. I'm thinking --

23 MS. FREEMAN: Well --

24 CHAIRMAN LINGENFELTER: So, I mean, when it comes
25 down to something like the medical marijuana dispensaries
26 and/or related businesses, you know, would we be required to
27 have to allow that?

28 MS. FREEMAN: That's a good question. I haven't
29 spoken with our legal counsel on that.

30 CHAIRMAN LINGENFELTER: We should probably take a

1 look at that.

2 MS. FREEMAN: Yeah.

3 MR. SCHINDLER: Because I know --

4 CHAIRMAN LINGENFELTER: Better to be proactive.

5 MR. SCHINDLER: Yeah. I know the state's already, I
6 think, based on what they've already had on the news, they
7 already had targeted places where they were going to allow it
8 already, I think.

9 MS. FREEMAN: Yeah, they've already given --

10 MR. SCHINDLER: And by the first of the year, they
11 can already start growing it and dispensing it at these
12 locations. I don't recall if townships got involved with that
13 or not but --

14 CHAIRMAN LINGENFELTER: Yeah. Would that be our --
15 Would we have the ability to restrict that or dictate that or
16 would we fall under a higher level of authority in having to
17 allow it?

18 MS. FREEMAN: I think as a local community --

19 CHAIRMAN LINGENFELTER: Having to accommodate it
20 and --

21 MS. FREEMAN: Yeah. I mean, the local community can
22 decide whether or not -- where and how many and if you are
23 going to allow it, but whether or not we can strictly prohibit
24 that is a good question. I have to check with, you know, our
25 legal counsel on that or if we have to accommodate it. I feel
26 like we don't have to because some communities already have
27 said that they're not allowing them but, obviously, we would
28 want to defer to our township legal counsel before we were
29 going to do something like that.

30 MS. GERMOVSEK: Wouldn't there be separate

1 qualifications for, like, selling it and then growing it?

2 MS. FREEMAN: Yeah, yeah, you can regulate the
3 dispensaries differently than you would the production
4 facilities, yeah. I could see like the production facilities
5 would probably be located in more industrial type areas while
6 the dispensaries could be, you know, in locations like Grist
7 Mill or, you know, just little strip centers with little
8 retail establishments. So --

9 CHAIRMAN LINGENFELTER: Something we need to take a
10 look at. Better to be prepared.

11 MS. FREEMAN: We can put that in one of our next
12 items, you know.

13 MR. SCHINDLER: Yeah.

14 MS. FREEMAN: On our list of.

15 MR. SCHINDLER: Between now and our next meeting, if
16 you could just find out briefly about that, that would be
17 helpful.

18 MS. FREEMAN: Oh, okay, sure.

19 MR. SCHINDLER: Because if it is something that we
20 -- That may be something we want to incorporate into here
21 somewhere, right? It would have to be.

22 CHAIRMAN LINGENFELTER: Well, we could always
23 address that as a separate issue.

24 MR. SCHINDLER: Oh, yeah.

25 MR. McINTOSH: I wouldn't say hold it aside.

26 MR. SCHINDLER: No, I won't say hold it up but, I
27 mean --

28 CHAIRMAN LINGENFELTER: Right.

29 MR. SCHINDLER: It would be nice to know.

30 MS. FREEMAN: Okay.

1 MR. SCHINDLER: Please.

2 CHAIRMAN LINGENFELTER: So do you think we could
3 schedule a public hearing for this in January or do you think
4 that's too aggressive with the holiday, with the holidays and
5 the time off between, you know, Christmas and New Years and,
6 I think --

7 MS. FREEMAN: Well, we are scheduled to have our
8 January 2nd meeting unless --

9 CHAIRMAN LINGENFELTER: January 2nd?

10 MS. FREEMAN: It's January 2nd.

11 CHAIRMAN LINGENFELTER: Wow.

12 MS. GERMOVSEK: The day after New Years Day?

13 MR. SCHINDLER: The day after, people are still
14 recuperating.

15 MS. FREEMAN: Yeah. I mean, that's up to you guys
16 as far as --

17 CHAIRMAN LINGENFELTER: Do we have to be completely
18 coherent and have the ability to think clearly? Do you think
19 that's too aggressive?

20 MS. FREEMAN: Unless you want us to just -- staff
21 and legal to look at it one more time just be sure we're good
22 and then come back with those couple little -- the one redline
23 I had suggested, you know, said in Section 38 and then adding
24 the other couple, personal services to BX and the B-2, if
25 you'd like us to wait one more month and --

26 CHAIRMAN LINGENFELTER: What do you think, Frank?

27 MS. FREEMAN: -- just digest it a little more, we
28 can.

29 CHAIRMAN LINGENFELTER: Do you think we can do
30 January or do you think we ought to put it off till February?

1 MR. SCHINDLER: Well, I think with the holidays
2 coming up in general, we're putting a load on Heather and her
3 staff, you know.

4 CHAIRMAN LINGENFELTER: We are not supposed to be
5 compassionate here, Frank. We've got work to do.

6 MR. SCHINDLER: Right. It's entirely up to you. If
7 you feel --

8 MS. FREEMAN: It's not any more work to do it
9 January or February.

10 CHAIRMAN LINGENFELTER: Right. Morgan, any
11 thoughts? No.

12 MR. SCHINDLER: Unless we feel up to it.

13 MR. McINTOSH: We've covered the ground. I mean, if
14 Heather says she's ready, you know, we've covered this. We've
15 had two work sessions of late and then how many last year? I
16 mean --

17 MR. SCHINDLER: A lot.

18 MR. McINTOSH: I'm indifferent on it. We can go if
19 you're ready.

20 MR. PETERSON: The only thing I am thinking is it
21 might behoove us to put it off until February because we are
22 going to put it online, we are going to allow people, for the
23 public hearing, to be able to read through it. Realistically,
24 nobody is going to do that in December and this would give
25 them the opportunity in January, when things slow down a
26 little, to review if they are interested in reviewing it and
27 be prepared to come to the public hearing. To do a public
28 hearing in January kind of squeezes it over the holidays and I
29 am not sure that's fair to those that want to come and attend,
30 if there are any.

1 CHAIRMAN LINGENFELTER: Sue?

2 MS. GERMOVSEK: I would say February but I am
3 compassionate.

4 CHAIRMAN LINGENFELTER: Frank?

5 MR. SCHINDLER: That's fine.

6 CHAIRMAN LINGENFELTER: Darn you. I am ambivalent.
7 You know, it doesn't really matter to me. We could do
8 January. I would be fine with January or I would be fine with
9 February. That's why I would defer to everyone else to, you
10 know, what your thoughts are.

11 MR. SCHINDLER: Rich has brought up a good point. A
12 lot of people were screaming at the last hearing that they
13 were left out, they didn't have enough time to do their
14 research or was jammed down the township's throat, that kind
15 of thing. So giving them one more month where everyone is
16 recuperating from the holidays, you can sit back, relax, get
17 your stuff into gear and be prepared, then you should be
18 taking, you know --

19 MR. PETERSON: People travel in December and, you
20 know, in all fairness, to give them proper time to review
21 this.

22 MR. SCHINDLER: Yeah, yeah.

23 MR. PETERSON: If they want to look at it online, if
24 they want to download it or whatever they want to do.

25 MS. GERMOVSEK: I mean, what would be the downside
26 of waiting?

27 MR. PETERSON: Yeah, there is no downside of
28 waiting.

29 MR. SCHINDLER: Not at this point.

30 MR. PETERSON: There is nothing urgent here.

1 MR. SCHINDLER: Yeah, right, unless --

2 CHAIRMAN LINGENFELTER: Well, you know, there is a
3 potential downside and that's if some of the issues that we're
4 dealing with here, if something approaches the Township
5 between now and the public hearing where some of these, you
6 know, where some of these uses would come into play, you know,
7 we would have to put them off by, by 30 days. So that is,
8 that is a potential downside. I don't know that that's a
9 critical downside but it's a potential downside.

10 MR. PETERSON: But December is not the month that
11 that's likely to happen.

12 MR. SCHINDLER: In general. I mean, you work in an
13 environment in general, you know, corporation wise and stuff.

14 MR. McINTOSH: But January is. That would be off
15 our plate in January because our meeting is the 2nd. So we
16 could, in theory, pass it along to the Trustees very early in
17 the year and it would be relevant. If you wait another month,
18 you're not blocking out December, you're blocking out January.

19 MR. PETERSON: I don't see a downside to that,
20 personally.

21 MR. McINTOSH: Well, I am with Andy. I am
22 relatively indifferent. I think I am ready to go with it.
23 We've kind of, like we said, it's been out there in
24 conversation for a long time. And speaking, speaking to the
25 matter of the discontent over the last set of amendments,
26 let's recognize that the last time we did this, we did this
27 with two or three other amendments and there was a ton of
28 outcry about it. We have now taken out everything that was
29 not, you know, directly and we've had no participation, no
30 presence, no comment whatsoever on this particular body of

1 work. It was just one or two particular things that we're not
2 addressing here.

3 So my observation, as I take that lack of, you
4 know -- We've taken, we've immediately picked up the agenda and
5 kept it moving, less the controversial things, and we've had
6 no feedback or comment about it from anybody.

7 So I understand the due caution. I am torn on it.
8 I am indifferent. If we want to wait another month, I don't
9 see a harm in that. That said, I think we have covered this
10 ground thoroughly and we could just as easily go forward as
11 well. My opinion, so --

12 MR. SCHINDLER: Is there --

13 MR. McINTOSH: If you want to wait a month, that's
14 fine.

15 MR. SCHINDLER: Excuse me. Is there anything coming
16 down the pike that you heard that, like Andy says, might
17 involve something here?

18 MS. FREEMAN: Well, I mean, the modifications that
19 we are proposing in the parking section would apply to any new
20 uses that are coming. I think I mentioned to you that there
21 is some interest from some hotels that are looking to siting
22 in the corridor. One of them has already purchased the
23 property. So -- And then with the Drug Mart site being opened
24 up and the ability for additional retail uses down there,
25 we've had inquiry from someone trying to do the dry cleaner
26 somewhere in our community. So, I mean, I think there could
27 be, you know -- I think it would probably be best, in my
28 opinion --

29 MR. McINTOSH: Move it along.

30 MS. FREEMAN: -- to go ahead and just do it since,

1 if we're not going to be doing any other changes between now
2 and next month on the text, then we're just going to meet next
3 month to schedule the public hearing, which might not make
4 sense.

5 And, Rich, to your point, if we do the public
6 hearing in January, we could, you know, if there was a lot of
7 people that were here that didn't feel like they had time to
8 review it, we could continue it to February, which would give
9 them additional time. And then the Trustees, they typically
10 hold two public hearings once it gets to them as well.

11 MR. McINTOSH: Right, so that's true.

12 MS. FREEMAN: So there will, at minimum, you know,
13 be two opportunities for public comment.

14 MR. McINTOSH: And, you know, for the purpose of
15 stating it to the record, I will add to my comment earlier
16 about these amendments being part of the greater batch and a
17 couple things being missed. I think the thing that's, at
18 least, disappointing to me as far as the comment goes is, to
19 me, I view, as much as there was controversy about some of the
20 overlay district and some of those things, I mean, these
21 things all intertwined with it critically.

22 This, when you consider the input that people had
23 and the things they were concerned about, they looked right
24 past these things as a tool that were going to manage and
25 address the concerns that they had with respect to the overlay
26 district. And to that point, when a number of us got hit
27 during the election with, "You don't care about the township.
28 You haven't done these things," all the other accusations that
29 were levied, you know, they looked past the time and effort we
30 put in the stormwater mitigation, talking about the growth in

1 the township. We do a lot of things and this stuff is so
2 commonly looked past as -- and it's, yet it's so and integral
3 critical.

4 And to Heather's point, you've got Drug Mart being
5 finished, you've got the other retail, the other part of Crile
6 Crossing getting finished, some of these things moving along.
7 These things are the parking stuff. I mean, people are
8 concerned about traffic and they don't want to us -- Well, we
9 are making proactive steps to take on a lot of the concerns
10 that people have about these issues in an area that's growing
11 and developing and I think it's important to get this stuff
12 out.

13 I mean, I'm indifferent on the month or two but to
14 add to the fact that, here, nobody is paying attention to this
15 right now and it's just as important as those other thing were
16 as well.

17 MR. PETERSON: I think it's a valid point. I think
18 it's just a lack of awareness. People don't know these even
19 exist.

20 MR. McINTOSH: Yeah, that's true. I think the fact
21 that the Trustees will have it, I think getting it along to
22 them, there is more opportunity for people to touch there, I
23 guess, maybe.

24 MR. PETERSON: True.

25 MR. McINTOSH: I guess now I maybe drift more to
26 moving things along and --

27 CHAIRMAN LINGENFELTER: Yeah, you know, I agree with
28 the idea that, if we do get an inordinate amount of questions
29 or issues at the public hearing in January, that we do have
30 the ability to continue.

1 MR. McINTOSH: Yeah.

2 CHAIRMAN LINGENFELTER: We can always pause.

3 MR. SCHINDLER: We can table, yeah. We can keep
4 tabling it, not close the public hearing.

5 CHAIRMAN LINGENFELTER: Personally, I don't think
6 there is going to be, you know, I don't there is -- I mean,
7 the last two months we've had public input specifically put on
8 the agenda, okay, for our Zoning Commission meetings and we've
9 had zero involvement and this has been on both meetings. So I
10 would have to extrapolate from that that this material doesn't
11 generate a whole lot of interest from the public, you know.

12 MS. GERMOVSEK: It doesn't appear to.

13 CHAIRMAN LINGENFELTER: So, you know, if there was a
14 lot of concern, people would be here. You know, evidently
15 there is not.

16 MR. SCHINDLER: Well, the younger gen -- The younger
17 generation is. They will go home tonight and really tell
18 their parents all about this. Come on, Mom and Dad, you've
19 got to get involved, right?

20 CHAIRMAN LINGENFELTER: Typically, we sit here and
21 talk to empty seats.

22 MR. SCHINDLER: Empty seats.

23 CHAIRMAN LINGENFELTER: There is nobody here, very
24 few.

25 MR. SCHINDLER: We usually have one Trustee who is
26 always sitting there.

27 MR. PETERSON: Where is she? She's not here
28 tonight.

29 MR. SCHINDLER: She is not here tonight.

30 CHAIRMAN LINGENFELTER: No. I am kind of following

1 your lead, Morgan. I am kind of drifting. I was kind of
2 like, eh, either/or. But then I think about the fact that we
3 do have the ability to do a, you know, to continue the public
4 hearing --

5 MR. SCHINDLER: Yeah.

6 CHAIRMAN LINGENFELTER: -- if it gets out of
7 control.

8 MR. SCHINDLER: Sure.

9 CHAIRMAN LINGENFELTER: So I say we schedule it for
10 January. Let's move forward.

11 MR. McINTOSH: Agreed.

12 MR. SCHINDLER: Okay.

13 CHAIRMAN LINGENFELTER: Git 'er done.

14 MR. SCHINDLER: Yeah, get it done.

15 MS. FREEMAN: You need somebody to make a motion to
16 accept and schedule the public hearing for January 2nd.

17 CHAIRMAN LINGENFELTER: Okay. So for Item Number 1
18 on the agenda for the work session, for the proposed
19 amendments to the following sections of the Zoning Resolution,
20 Amendments 1 through 11, I would accept a motion to move to a
21 public hearing.

22 MR. McINTOSH: Mr. Chairman, I move, with regard to
23 the work session Amendments 1 through 11, that we move forward
24 and schedule a public hearing January 2nd.

25 CHAIRMAN LINGENFELTER: Motion has been made. Can I
26 get a second?

27 MR. SCHINDLER: I second.

28 CHAIRMAN LINGENFELTER: Motion has been made and
29 seconded. All those in favor say "aye." Opposed?

30 (Five aye votes, no nay votes.)

1 CHAIRMAN LINGENFELTER: No one opposed. Let the
2 record reflect all ayes, no nays. Thank you. Okay. So we
3 will schedule it for January 2nd for the public hearing.

4 Okay. Number, Item Number 2 on the agenda is the
5 approval of the minutes for the October 3rd meeting. Any
6 corrections or --

7 MR. PETERSON: No. Mr. Chairman, I make a motion we
8 approve the October 3, 2017, minutes as written.

9 CHAIRMAN LINGENFELTER: Okay, motion made. Second?

10 MR. SCHINDLER: I second.

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

13 (Four aye votes, no nay votes, one abstention.)

14 CHAIRMAN LINGENFELTER: None opposed.

15 Okay. Number, Item Number 3 on the agenda is the
16 approval of the minutes of the November 7th meeting. I will
17 entertain a motion.

18 MR. SCHINDLER: Mr. Chairman, I so move that we
19 accept the minutes as written for November 7, 2017.

20 CHAIRMAN LINGENFELTER: Motion made. Do we have a
21 second?

22 MR. PETERSON: I have to abstain. I wasn't here.

23 MR. McINTOSH: I have to abstain as well. I wasn't
24 here.

25 MS. GERMOVSEK: Oh, I will second.

26 CHAIRMAN LINGENFELTER: I can't second.

27 MS. GERMOVSEK: I will second.

28 CHAIRMAN LINGENFELTER: Good for you. Way to step
29 up. Motion seconded. All those in favor say "aye." Opposed?

30 (Three aye votes, no nay votes, two abstentions.)

1 CHAIRMAN LINGENFELTER: None opposed, two
2 abstentions.

3 Okay. Item Number 5 on the agenda, the audience
4 participation portion, do we have anybody here that would like
5 to come up and talk, ask us questions, provide input, anyone?

6 MR. SCHINDLER: Now is your chance.

7 CHAIRMAN LINGENFELTER: Sir.

8 MR. KING: Do I have to come up to the podium?

9 MR. SCHINDLER: Please.

10 CHAIRMAN LINGENFELTER: Yes, sir, you must.

11 MR. KING: I did have a question.

12 CHAIRMAN LINGENFELTER: Great.

13 MR. SCHINDLER: State your name and address, sir.

14 CHAIRMAN LINGENFELTER: Yes. When you come up to
15 the podium, you don't have to swear in but you can please
16 state your name and address for the record, please.

17 MR. KING: My name is Steve King. I live at
18 10709 Johnnycake Ridge Road.

19 CHAIRMAN LINGENFELTER: Okay.

20 MR. KING: Near 44 and 84. My wife and I were just
21 talking about this, my daughter was in on the conversation,
22 just the area here at 44 and Auburn that's all completed now,
23 and I drove by and I saw Reider's was closed. It surprised
24 me. I should be paying attention but I haven't been. So I
25 saw Reider's closed and I came home tonight and I said,
26 "Lorraine, why do you think Reider's closed?" She said,
27 "Well, I'll tell you why. It's that intersection. Nobody
28 wants to do business at the Sunshine Cafe and the Huntington
29 Bank." And I know this, probably, discussion has come up
30 quite a few times, I'm assuming.

1 So my question is, construction is done. There was
2 a lot of planning involved with that. Was there ever a survey
3 or a response since then on what does the community think
4 about that exchange? I know it's probably done for safety
5 reasons or water reasons. But folks pull in there, then they
6 have to go all the way back to the Discovery Lane, I think,
7 Capital Parkway to come back to 90 again.

8 So was there ever a post survey in regards to, was
9 that a good design, kind of a post review? That's my
10 question. And if there was one, was it majority favorable?
11 Or if there wasn't one, maybe a lesson learned, maybe that
12 wasn't the best design. If you get that kind of feedback
13 saying there wasn't an optimal exchange layout design, is that
14 within the confines of this session, or no?

15 MR. SCHINDLER: May I? May I?

16 MR. PETERSON: The problem with that is that those
17 are not township roads.

18 MR. KING: Okay.

19 MR. PETERSON: That was all done by --

20 MR. KING: So that whole entire design had nothing
21 to do with --

22 MR. PETERSON: No.

23 MR. KING: Okay.

24 MR. SCHINDLER: Right. The state governs all roads.

25 MR. PETERSON: The State of Ohio.

26 MR. SCHINDLER: The State of Ohio. Over the years,
27 there's been talk about trying --

28 MR. KING: So Crile Road is not --

29 MR. SCHINDLER: There is one portion of it that
30 might involve us but the rest of it by the highway --

1 MR. KING: Crile Road has nothing to do with this
2 group?

3 CHAIRMAN LINGENFELTER: Well, Crile Road is a
4 township road.

5 MR. PETERSON: Is a county road.

6 MS. FREEMAN: County, county road.

7 CHAIRMAN LINGENFELTER: Or county road. Crile Road
8 is a county road.

9 MR. PETERSON: Lake County and the State of Ohio.

10 MR. KING: So this is out of scope for this group?

11 CHAIRMAN LINGENFELTER: And I think that's, to your
12 questions, I think that's one of the problems that most people
13 have that are, that are residents of the township is there is,
14 there is a mixtures of roads in the township. There are
15 township roads, there are county roads and there are state
16 roads.

17 MR. PETERSON: And federal.

18 CHAIRMAN LINGENFELTER: And they're all under --
19 Yeah, and federal, so they're all under different
20 jurisdictions. We only have control and responsibility for
21 the township roads. And I always tell people the easiest way
22 to figure it out is if you see a red truck it's the township,
23 if you see a green truck it's the county, and if you see a
24 white truck it's the state.

25 MR. KING: Is there an opportunity to give feedback
26 from this group to the folks that planned that?

27 MR. McINTOSH: When you asked about the design and
28 that, the Township at the Trustee level and so forth, they
29 worked with ODOT. There was dialogue. So that's what the,
30 that's what -- The full-time staff here at the township

1 handles that. So it's not really us here because we are
2 zoning, so we are not really into roads, that sort of thing.

3 But ultimately, I mean, the ODOT, ODOT worked with
4 the Township, got feedback from the Township. I mean, if you
5 kind of want to know what the Trustees said, I suggest,
6 recommend asking them some of the same questions. They may
7 have an answer for you. I don't want to speak for them. But
8 the Township did dialogue with them. At the end of the day,
9 ODOT gets to make the decisions about how that goes. Do they
10 listen? Maybe yes, maybe no. But they do, pretty much, what
11 they want to do. They have their studies, they have their
12 processes and so forth, too.

13 So a lot of times with respect to that -- And I know
14 a number of us here had a lot of question during the election
15 about that intersection in particular. You know, ODOT
16 regulates it. ODOT makes the final decision. You know, the
17 best we can do is advocate for the township and that's the
18 role of the Trustees. It's what they do.

19 MR. KING: Thank you.

20 CHAIRMAN LINGENFELTER: Thanks for your question.

21 MR. McINTOSH: Thanks for asking.

22 MR. KING: Yep.

23 CHAIRMAN LINGENFELTER: Anybody else in the audience
24 that would like to make any comments, have any questions?

25 Okay. We will move on to item -- oh, I forgot to do
26 correspondence report. I am sorry. I apologize. I missed
27 Number 4, the correspondence report by the Zoning Commission
28 members. Frank, anything?

29 MR. SCHINDLER: No, Mr. Chairman.

30 CHAIRMAN LINGENFELTER: Morgan?

1 MR. McINTOSH: No.

2 CHAIRMAN LINGENFELTER: Rich?

3 MR. PETERSON: No, sir.

4 CHAIRMAN LINGENFELTER: Sue?

5 MS. GERMOVSEK: No.

6 CHAIRMAN LINGENFELTER: I received an email from a
7 resident on Ravenna Road and I referred them to you, Heather.
8 They were questioning about somebody had bought property next
9 door to them on Ravenna and they immediately started trying to
10 open up a landscaping business or something and he was
11 wondering if that was allowed within the -- within that area.
12 And, you know, I basically cited some permitted uses and
13 conditional uses in the R-1, because I am assuming that's
14 where he was is in the R-1 zoning district, and landscaping
15 wasn't a permitted use as far as I could see. But I told him
16 to contact you, you would be able to give him further
17 information or whatever. Did he ever follow up?

18 MS. FREEMAN: Yeah, I did get contacted by him and I
19 investigated the complaint, which the house did recently sell
20 to some individuals who thought they were going to be able to
21 park some of their landscaping equipment there. So I am in
22 the middle of dealing with that issue. So that's --

23 CHAIRMAN LINGENFELTER: Good. But we did, we did
24 address it and we're taking care of it.

25 MS. FREEMAN: Yes.

26 CHAIRMAN LINGENFELTER: Okay, good. Because he kind
27 of sent me a couple emails back and forth. I replied. And,
28 like I said, it started getting a little bit beyond my --

29 MS. FREEMAN: Right.

30 CHAIRMAN LINGENFELTER: -- pay grade, so I thought

1 it would be best to send him your way.

2 MS. FREEMAN: Yeah. We'll investigate any complaint
3 to see if it's a violation. We're trying to work with those
4 people. So --

5 CHAIRMAN LINGENFELTER: That was, that was my only
6 correspondence though. It was interesting.

7 Okay. I skipped over the, so I skipped the audience
8 portion. We already did that. Next meeting of the Zoning
9 Commission will be January 2nd of 2018. We are going to have
10 a public hearing scheduled for that meeting. Anything anybody
11 would like to discuss before we adjourn? Anybody? Nothing.
12 This meeting is adjourned. Thank you for coming, folks.

13 (Whereupon, the meeting was adjourned at 7:59 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 27th day of December 2017.

Melinda A. Melton
Registered Professional Reporter

Notary Public within and for the
State of Ohio

My Commission Expires:
February 4, 2018