

CONCORD TOWNSHIP ZONING COMMISSION
LAKE COUNTY, OHIO
REGULAR MEETING

Concord Town Hall
7229 Ravenna Road
Concord, Ohio 44077

April 3, 2018
7:00 p.m.

TRANSCRIPT OF PROCEEDINGS

Zoning Commission members present:

Andy Lingenfelter, Chairman
Morgan McIntosh, Vice Chairman
Frank Schindler
Gerard Morgan
Susan Germovsek, Alternate

Also Present:

Heather Freeman, Planning & Zoning Director/Zoning
Inspector
Jared Winer, Planner/Assistant 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, April 3, 2018, to order. We have a busy agenda this
5 evening, a number of items to go through. We are going to
6 make a little adjustment on the, on the agenda. Item
7 Number 1, the election of officers for this next calendar
8 year, we are going to move that to follow the correspondence
9 report by the Zoning Commission members because we have some
10 other things we want to run through first. So we will do that
11 after Item Number 5 on the agenda.

12 So that moves Number 2 up to Number 1 and that is
13 the public hearing for Zoning Amendment Application Number
14 0218-2 by Richard Sommers, of Sommers Real Estate Group, to
15 amend the Zoning Resolution text in Section 22.

16 Is the applicant here? If you want to come up and
17 state your name and address.

18 MR. SOMMERS: My name is Rick Sommers,
19 10585 Summerset Drive, Chardon, Ohio.

20 CHAIRMAN LINGENFELTER: Thank you. Go ahead.
21 You've got the floor.

22 MR. SOMMERS: This is -- We are here tonight
23 proposing a text amendment to the Town Hall Neighborhood
24 zoning classification, and this is a small zoning
25 classification that now consists of approximately 25 acres of
26 land zoned Town Hall Neighborhood. It's on the north and
27 south side of Concord-Hambden Road east of Hunting Lake Drive
28 and west of Ravenna Road, so everybody knows where we are.

29 The original Town Hall legislation that's on the
30 Concord Township Zoning Code actually called for a residential

1 use and then it said "while promoting emerging land use
2 patterns," which I think is important. However, when that
3 code was passed, there was no requirements in the Code, there
4 was no language about any residential uses as far as lot
5 sizes, setbacks, types of homes, anything like that.

6 So what we're proposing as a text change would be to
7 allow for single-family residential use in the Neighborhood,
8 and we'd like to define the parameters for new housing in that
9 Town Hall Neighborhood. We worked with the Lake County
10 Planning and the staff here in Concord to come up with what we
11 think is a good alternative use for the land in that Town Hall
12 Neighborhood. We have developed the proposed text change that
13 we have submitted. That was -- has gone through the Lake
14 County Planning Commission and received a, I believe, a
15 recommendation for approval. I also know that there has been
16 some a few more proposed text and wording changes by the
17 Zoning Inspector or the Zoning and Planning Commission here
18 before this evening's meeting that I received a copy of that
19 we're in general agreement with.

20 Just to go over, the highlights of the text changes
21 are as follows: We are proposing single-family homes on
22 deeded lots; maximum density of three homes per acre; 60 foot
23 wide building lots at the building line; 15 percent common
24 open space, and that's exclusive of any right-of-ways; 15 foot
25 minimum distance between dwellings; the dwellings would be
26 minimums ranging from 12 to 16 hundred feet, although I think
27 they will be larger; with enclosed two-car garages and
28 driveways to allow a minimum of two-car parking or 400 square
29 feet.

30 What we're seeing is there are many people in large

1 homes in Concord Township on large lots that would like to
2 stay in the neighborhood. They would like to stay near their
3 family and friends and maintain the current lifestyle they
4 have. And right now, there is just very few choices in
5 Concord Township for that type of single-family home.

6 I think this is a perfect example of the emerging
7 markets that the Comprehensive Plan spoke about when this
8 zoning text change was written. I think the houses here,
9 they're not going to be cheap, so to speak, houses. They will
10 be -- Our experience in other neighborhoods is that they will
11 be very high-end finishes but low maintenance houses, which
12 are what the primarily aging population is looking for in this
13 neighborhood. They will not be deed restricted as far as age
14 but we do feel that the prime buyer of this type of home would
15 be 55 to plus, maybe near retirement or retired people. So
16 that's what we see.

17 The proposed text amendment addresses the intention
18 of the original Code, we believe, by allowing for residential
19 use and the Comprehensive Plan that promoted emerging land use
20 patterns.

21 That's basically what we have to present tonight.
22 We would be glad to answer any questions or suggestions.

23 MR. SCHINDLER: Would you be planning on having a
24 homeowners' association?

25 MR. SOMMERS: We will have a homeowners'
26 association. That will be -- That's important because that
27 will maintain the common spaces. We are going to propose a
28 walking path around the pond, the ponds or retention basins.
29 They will also be responsible for the sign maintenance and
30 the -- any common areas. The central box units have to be

1 maintained, things like that. So it would be a homeowners'
2 association with minimal responsibility.

3 MR. SCHINDLER: Would there be like restrictions, in
4 other words, everybody has to maintain certain aesthetics as
5 far as properties, like they all have to have the same
6 mailboxes, for example, things like that?

7 MR. SOMMERS: I think what we're going to see here
8 next -- that's also changing, too, is these emerging things --
9 you won't see any single mailboxes anymore. The Post Office
10 now requires central, what they call CBUs or central box
11 units. So, for instance, if we had 20 homes, there'll be one
12 location where you will pull off, pick up your mail at a
13 central box unit. The Post Office is no longer allowing
14 individual mailboxes.

15 MR. SCHINDLER: Oh, really? Oh, I didn't know that.
16 When did that go into effect?

17 MR. SOMMERS: It's actually been in effect for a
18 while. You know, like when we did Concord Ridge, that just
19 barely snuck through. There were some people that objected
20 and they bent a little bit. But in the long run, I think it's
21 a better alternative. You don't have a mail truck going down
22 the road that people are trying to go around. They're not
23 going to do delivery. It's more efficient for the Post
24 Office. It's more secure because they're locked. So I think
25 that you will see that in every subdivision from now on in
26 Concord.

27 MR. SCHINDLER: Would your homeowners' association,
28 would there be like a fee that people, you know, the residents
29 have to pay every year so everything stays maintained?

30 MR. SOMMERS: It would be, again, the homeowners'

1 association fee would be minimal to cover the taxes on the
2 common area, maintenance of the pond, any ponds or retention,
3 the mailbox units, and any landscaping that they would like to
4 do. We're not sure yet whether we would be -- This is single,
5 we're proposing single family.

6 MR. SCHINDLER: Yes, you are.

7 MR. SOMMERS: So I don't think we will have where
8 the -- But the association could elect to do it later maybe
9 where they mow, if everybody was in concurrence, they could
10 mow their own, you know, the grass all at once; but, right
11 now, it would be homeowner maintenance.

12 MR. SCHINDLER: Gotcha.

13 MR. SOMMERS: Because it is single family, what
14 we're proposing.

15 MR. SCHINDLER: Okay. Thank you.

16 CHAIRMAN LINGENFELTER: Morgan, do you have any
17 questions?

18 MR. McINTOSH: I don't think so.

19 CHAIRMAN LINGENFELTER: Gerry, any questions?

20 MR. MORGAN: Yeah. You're proposing this for that
21 whole district, correct? This isn't lot specific or this is
22 for the --

23 MR. SOMMERS: Yes, we are. I think it's important
24 that the zoning change is for both sides of the street. We do
25 have the one piece under contract and we have an agreement
26 with Mr. Osborne for the other piece that has some legal
27 issues that we are going through. But we do have both, all --
28 There's actually four parcels, two on the north, two on the
29 south side.

30 But even if we didn't, I think it's important to

1 have continuity in the district and have the text for both
2 sides of the street and not split the district.

3 MR. MORGAN: Okay. Then you answered my next
4 question which was going to be, what's your relationship with
5 the properties? Thank you.

6 CHAIRMAN LINGENFELTER: Now, how does that, you
7 know -- We had a, we had a discussion with another owner that
8 was looking to rezone a smaller parcel that's out front that
9 includes the old Arnold residence.

10 MR. SOMMERS: Correct.

11 CHAIRMAN LINGENFELTER: Is that -- So you are
12 proposing to include that, too?

13 MR. SOMMERS: No, we are not, because that is no
14 longer Town Hall. It's my understanding that that has been
15 rezoned and that the Trustees approved that to R-1.

16 CHAIRMAN LINGENFELTER: They did?

17 MS. FREEMAN: Mr. Chairman, yeah, on March 6th the
18 Board of Trustees did vote to approve the two acre rezone from
19 Town Hall Neighborhood to R-1. It's effective on April 6th.

20 CHAIRMAN LINGENFELTER: Okay.

21 MS. FREEMAN: So it's not quite effective yet but in
22 the next three days will be effective.

23 CHAIRMAN LINGENFELTER: All right. And what were
24 the, what were the lot sizes on that?

25 MS. FREEMAN: When tied into central -- to sanitary,
26 sanitary sewer, it's 22,000 square foot.

27 CHAIRMAN LINGENFELTER: So they're, what, half acre?
28 I mean, what --

29 MS. FREEMAN: Just over half acre.

30 CHAIRMAN LINGENFELTER: Looking at, what was it,

1 three houses, I think? Was it three?

2 MS. FREEMAN: He can probably get three houses.

3 MR. MORGAN: Right.

4 CHAIRMAN LINGENFELTER: Okay. So how is that going
5 to jibe with what you're, what you're proposing?

6 MR. SOMMERS: It's not what we think is the best use
7 of this land to have ten driveways along Concord-Hambden and
8 do lots like that. I don't think that's the highest and best
9 use of the land. I think that this would allow the Township
10 to have some input on what happens there rather than dividing
11 it up into lots.

12 Again, I think it serves the need that was
13 originally considered in the zoning section in 22.01, and that
14 stated "residential uses while promoting emerging land use
15 patterns," and what we -- that's how the book reads today.
16 There is a number of different densities, so to speak, in that
17 area. Two hundred feet to the west on Hunting Lake Drive is
18 zoned R-8 and that was, basically, attached condominiums.
19 That had a density of eight units to the acre. There is a
20 small piece to the -- On the north side of the street, there
21 is, I believe, three houses north of the church that are zoned
22 R-1. To the west on, again, on the north side is zoned -- I
23 would defer to Heather. It's either R -- It's either
24 manufacturing or light industrial. The piece behind us is
25 the -- Directly behind the piece on the south is part of the
26 PUD for Concord Township and I believe those are third acre
27 lots.

28 CHAIRMAN LINGENFELTER: With that, with that design
29 in mind, what's your, what is your -- what are you thinking
30 about in terms of the number of units you want to put in there

1 on both, the whole, you know, on both sides, north and south
2 of Concord-Hambden?

3 MR. SOMMERS: The north side has some wetland
4 issues, some drain issues. And once there is -- One of the
5 things we're negotiating is, my opinion, is that the oil and
6 gas well should be pulled, although in -- I don't know if it
7 made -- if it's into the final text but in the original text
8 that we submitted we proposed 100 foot separation between that
9 well and the tank battery but I think those will both come
10 out.

11 I don't -- I can't answer the exact density
12 questions but something, again, three to the acre. So in
13 theory, on the south side, you could have 24 units. On the
14 north side, they're definitely -- that's 17 acres but, at
15 least, four of those acres are not buildable due to wetland
16 constraints. So if you ended up with 13, maybe 42 to 45
17 units. Again, that hasn't been engineered, haven't done final
18 engineering on either side until we know what the parameters
19 of the Code that's approved are.

20 MS. GERMOVSEK: What happens to the gas well?

21 MR. SOMMERS: We would, we would -- If we acquire
22 the property, we want to acquire the well also and we will
23 plug that well and remove all -- you won't see anything. The
24 well would be plugged and gone away.

25 MR. SCHINDLER: Is it an active well still?

26 MR. SOMMERS: It is active at this time but very --
27 not very --

28 MR. SCHINDLER: Not productive?

29 MR. SOMMERS: -- good production. So I think the
30 best thing is to pull the well. Again, my opinion is who

1 wants to drive into a subdivision and see a tank battery? No
2 matter what you do, you aren't hiding it.

3 MR. SCHINDLER: Yeah.

4 MR. SOMMERS: There is always the issue of being too
5 close. So I think the best thing is to spend the money and
6 plug it, make it go away.

7 MS. GERMOVSEK: If you plug it, can you build on it?

8 MR. SOMMERS: You can't build over top of it.

9 MS. GERMOVSEK: Okay.

10 MR. SOMMERS: But -- And I don't believe there is
11 any restrictions in the township but you cannot -- you
12 shouldn't build over top of it.

13 MS. GERMOVSEK: You should see --

14 MR. SOMMERS: You should have like a 20 foot buffer.
15 What they do is they pull all the equipment out of that well
16 and they cement it back down to the bottom of the casing.

17 CHAIRMAN LINGENFELTER: Any other questions for the
18 applicant?

19 MR. SCHINDLER: Nothing for me.

20 CHAIRMAN LINGENFELTER: Thank you.

21 MR. SOMMERS: Thank you.

22 CHAIRMAN LINGENFELTER: Heather, would you like to
23 give us some input with regards to your thoughts?

24 MS. FREEMAN: Okay. Well, did you want to first --
25 I can go over what the Lake County Planning Commission's
26 recommendation is.

27 CHAIRMAN LINGENFELTER: Yeah, sure, you can do that.
28 Yeah, why don't, yeah --

29 MS. FREEMAN: On behalf of the Zoning Commission, I
30 received a correspondence from Dave Radachy, the secretary of

1 the Lake County Planning Commission. They took under
2 consideration the proposed text amendments to Section 22.03 at
3 their meeting on Tuesday, March 27th. And, at that time, the
4 Lake County Planning Commission recommended that the text
5 amendment be made with the following suggestions:

6 The first one being reference the use as "Dwelling,
7 Detached Single-Family" instead of "Single-Family Dwelling."
8 The accepted Concord Township Zoning definition is "Dwelling,
9 Detached Single-Family Dwelling" -- "Dwelling, Detached
10 Single-Family." So they're just trying to be consistent as
11 far as the use throughout the zoning text.

12 CHAIRMAN LINGENFELTER: Right.

13 MS. FREEMAN: The second point: Require 500 square
14 feet of unenclosed parking area. This is the same requirement
15 for Dwelling, Detached Single-Family in Table 29.04-A. I did
16 talk to Dave about that and that was, kind of, more of just a
17 reminder that, if you're looking in Table 29.04-A, we specify
18 the amount of off-street parking for all single-family
19 dwellings. It's regardless of what district it's in. And
20 currently in that section on -- in that table it specifies a
21 minimum of 500 square feet of unenclosed parking area. So if
22 this development were to have single-family residential in
23 there, it would have to abide by that unless we -- unless
24 there was something else specified directly within the Town
25 Hall Neighborhood District text.

26 The last bullet point from Lake County Planning was
27 to require all the lots to be fee, fee simple. This would put
28 the development into the standard subdivision process
29 administered by the Lake County Planning Commission. So
30 instead of doing condominium-type ownership with the private

1 streets, they were recommending that we require it to be fee
2 simple lots, which is what's being proposed here.

3 So I also took a look at the text that was submitted
4 by the applicant and my staff recommendation to this Board
5 would also be to, to approve it or to recommend approval to
6 the Township Trustees, I should say, with some additional
7 modifications. I went into a little bit more detail than what
8 the County had recommended but -- and I did provide to you in
9 your packet, basically, I took -- I put the applicant's
10 submission into a Word document and made some recommended
11 changes on there. So if you are looking at page -- the fourth
12 page of the document that I had provided to you, you will see
13 what I was suggesting. The blue underlined text is what I was
14 suggesting we add and the red strike-through text should be
15 eliminated. So I can just briefly go over this if you want.

16 CHAIRMAN LINGENFELTER: Yes, please.

17 MS. FREEMAN: Okay. So in Section -- the new
18 proposed Section 22.0 or -- I'm sorry -- Section 22.03, the
19 Table of Uses, the applicant had recommended that we add
20 "Single-Family Dwellings" to the table. However, to be
21 consistent with the terminology, we should add "Detached
22 Single-Family Dwellings," to include the word "detached."

23 And then in the new Section 22.11, Town Hall
24 Neighborhood District -- or "Town Hall Neighborhood Detached
25 Single-Family," include the word "Dwelling Development
26 Standards." Again, just insert, in the first sentence, insert
27 the word "dwelling" between "single-family" and "development."

28 And then what I was recommending is that we specify
29 a minimum development area in order for someone to do single-
30 family residential in the Town Hall Neighborhood District. I

1 think that a developer should have to have a minimum of five
2 acres in order to do the single-family residential within the
3 Town Hall Neighborhood development. I think this would
4 eliminate someone coming in and splitting off frontage lots on
5 Concord-Hambden and get them to do something a little bit more
6 cohesive like an actual subdivision with new township -- or
7 new public streets that wouldn't provide a lot of curb cuts on
8 Concord-Hambden. And then, also, it would make sense then to
9 have your minimum 15 percent open space as part of that
10 development.

11 And then under -- that would, if you did add that
12 in, a development area, that would kind of renumber or
13 reletter everything underneath that, so A would become B and
14 so forth.

15 So under Density, in order to make it clear that
16 these are going to be one house on each lot, I would like to
17 include in the line, "No more than one dwelling unit is
18 permitted on each lot." And this will ensure that we are
19 going to have fee single lots with one single-family dwelling,
20 detached dwelling on there.

21 And then some of the other modifications were just
22 spelling out, like under Minimum Lot Width, the word "sixty"
23 and then also keeping it in the parenthesis in feet. These
24 are a very minor, like, housekeeping items.

25 Under the, the proposed Open Space/Common Area, I
26 think just to clean up the language there I would recommend
27 that we just call it "Common Open Space" and that the text
28 should, again, just speci -- spelling out the word "fifteen
29 percent" rather than just doing the number 15, and then making
30 it clear that that common open space would be exclusive of any

1 public road right-of-way.

2 And then under the Building Setbacks, and this is
3 just proposing changes based on how we currently regulate the
4 front, front yard setback. The terminology we use in other
5 sections of the Zoning Resolution, we refer to it as the
6 "front building setback," so that's what I would like to see
7 changed if we were going to adopt this.

8 Also, then the "minimum front building" versus "yard
9 setback from the public road," rather than including any --
10 the private roads. And we really can't have private roads
11 with fee simple lots due to the fact that our definition of
12 "lot" requires it to have frontage on a public street. So I
13 think this just makes it clear that these will be fee simple
14 lots on public roads.

15 And then as we treat all corner lots in all the
16 other zoning districts, we require the front building setback
17 from any public road to be the same if it's on a corner lot.
18 So from both public street sides, it should be the 30 feet as
19 stated in here and not just the one frontage.

20 Moving on, under Rear Yard Setback, we refer to that
21 as Rear Yard Clearance, so that's what I was suggesting we
22 change that in both, both instances under that section.

23 And then just to be consistent again under the Side
24 Yard Clearance, making "Yard" capital and then spelling out
25 "seven," "seven and one-half feet" for the, the side yard
26 clearance from the side lot lines.

27 And then also under the Setbacks From Adjacent
28 Properties, I was suggesting that not only when this project
29 is adjacent to a nonresidential district that they have a
30 larger setback but if, also, if it's next to a nonresidential

1 use that the minimum building setback from that property line
2 shall be the 50 feet.

3 Under Building Height, just spelling out the word
4 "thirty-five" again.

5 Minor changes, again, under the section we were
6 proposing the setback from gas wells. I don't think we need
7 to say "residential." We can just state, "No dwelling shall
8 be constructed within," and then spelling out, "one hundred
9 feet of an existing gas well or tank battery."

10 And then just to note these minimum dwelling areas
11 that are proposed here, these are what we also require in
12 other zoning districts within the township. This is
13 consistent with that, just in case you hadn't looked at that.

14 And then under the Parking Requirements, I think we
15 should add in maybe a minimum of 400 square feet of unenclosed
16 parking area rather than the 500 just because the front
17 building setback is 30 feet that's being proposed versus in,
18 like, our R-1 and R-4 is 50 feet. So I think being a little
19 bit more scaled down to what the other side yard and rear
20 yard, front yard setbacks are, a minimum of 400 unenclosed
21 parking area would satisfy that. And that is enough for, at
22 least, two cars to be parked in the drive and even you could
23 probably still fit four, technically.

24 And then another minor change just to be consistent
25 with the reference to the open space, let's call it "Common
26 Open Space" rather than "Open Space/Common Areas."

27 And then this Section 22.11 is actually already a
28 section, I realized. So if we are going to make this the new
29 Section 22.11, then we'll have to renumber the subsequent
30 sections that already exist in Section 22. So we'll have to

1 renumber the currently existing Section 22.11 as 22.12, which
2 refers to the Performance Standards, and then renumber the
3 next section number from 22.12 to 22.13, which specifies the
4 Site Plan Review Requirements.

5 The other, the other thing that came to my
6 attention, too, is that being that this will go, if this gets
7 adopted and it gets built and it's a subdivision, I don't feel
8 like this should need to go through the site plan review
9 process that we have for the commercial districts and in the
10 other multi-family districts. Like for the R-3, we do require
11 that to go through a site plan review. But this has -- But
12 what's being proposed in here, I think we have enough
13 standards set in place that this could be easily reviewed by
14 Zoning staff rather than going in front of the Zoning
15 Commission. So I would like to include -- amend Section 11.02
16 which is the Zoning Permit section that specifies site plan
17 review required prior to issuance of zoning permit, Subsection
18 (a), to include the new -- to include the following Number 5,
19 which would basically exempt detached single-family dwelling
20 developments in the Town Hall Neighborhood District from going
21 through the township site plan review requirements.

22 But I know we did have a previous work session kind
23 of talking about the Town Hall Neighborhood District and
24 trying to look at what the current land uses are in there and
25 around there and we talked a little bit about that last month,
26 not knowing that this was coming so soon after. So we did
27 have, I thought, a pretty good discussion about what was there
28 and you guys have a good context of what's around there. And
29 we talked briefly about what was the comprehensive land use
30 plans for the township, talked about these districts. In the

1 2015 update, there were no specific recommendations on the
2 Town Hall Neighborhood or the Town Hall Commons District.

3 There were some other recommended changes that I
4 think might be suitable in this area that reference looking
5 for being able to maybe develop pocket neighborhoods that
6 would be geared towards seniors and providing additional low
7 maintenance housing options, and it's my opinion that this,
8 this could be the area for that. It is a limited amount of
9 acreage. And I could see that the text that's being proposed
10 could help fill that, potentially, some of that void for those
11 lower maintenance properties in Concord.

12 That's kind of where I am coming from on, you know,
13 what my recommendation would be on this. Any questions or
14 thoughts --

15 MS. GERMOVSEK: I have a question.

16 MS. FREEMAN: -- for me at this point?

17 MS. GERMOVSEK: The two acres that will be approved
18 or effective April 6th, those driveways would still be a
19 frontage on Concord-Hambden?

20 MS. FREEMAN: Yeah. It's my understanding that he
21 is probably going to do a lot split that would be three.

22 MS. GERMOVSEK: Three separate.

23 MS. FREEMAN: Three separate lots. Now, I remember
24 at our hearing that he had here, the applicant wasn't sure if
25 he was going to keep the existing house. When he was in front
26 of Trustees, he indicated that they are keeping the existing
27 house and that all those accessory buildings would probably go
28 away. So we will see what happens, you know, if he is going
29 to keep the existing house or if he is going to demo it and
30 come in with three brand new houses. But, obviously, those

1 lot splits would be approved by the Lake County Planning
2 Commission staff and then we would just see, you know, as site
3 plans are submitted for new houses, you know, what he was
4 going to propose and make sure it meets, you know, the R-1
5 District standards.

6 MR. MORGAN: I don't see, unless I am missing it, I
7 am not seeing anything in here, any language in here regarding
8 a minimum lot size for this.

9 MS. FREEMAN: Right. The text is not proposing an
10 exact minimum lot size. I don't know if the applicant wants
11 to say anything but, I mean, I think that, in my opinion, it
12 seems like to be flexible, maybe that's why he chose not to
13 but I will let Rick speak to that as to --

14 MR. SOMMERS: I think what will happen here is that
15 the three acre limitation with the 15 percent green space and
16 the, the right-of-way subtracted out will drive that. But in
17 the original proposal that, I believe, Lake County Planning
18 suggests we get away and let the Code text dictate it, I
19 believe we were at 7,000 square foot lots minimum with an
20 average of 9,500.

21 MR. MORGAN: Okay.

22 MR. SCHINDLER: Heather, if we -- The gas well, if
23 they're planning on capping it like he says, do they still
24 need the 100 feet clearance around it if it's going to be
25 capped?

26 MR. SOMMERS: May I address?

27 MR. SCHINDLER: Please.

28 MR. SOMMERS: That is not a signed deal yet and it's
29 subject to a lot of court review at this point with the
30 current owner. It would be my suggestion that we leave it in

1 in case something doesn't happen with that property right now
2 and it's there. If the gas well is gone, it's there anyway
3 and it doesn't hurt anything to be there, but I would suggest
4 we leave it at this point. Again, if it was -- If the court
5 approved the sale to us, we will be capping the well. If, for
6 some reason, that court doesn't approve that sale, somebody
7 else buys it, they may not want to cap it. So I --

8 MS. FREEMAN: To kind of piggyback onto Frank's
9 question, if it's capped, is it technically still a well?

10 MR. SOMMERS: No.

11 MS. FREEMAN: And does the setback apply? Is that
12 what you are asking?

13 MR. SCHINDLER: Yeah, that's what I was saying
14 because if it's going to be --

15 MS. FREEMAN: I don't really know, yeah.

16 MR. SCHINDLER: We have to keep something there. I
17 know you can't build a house over it, that's a given.

18 MS. FREEMAN: Okay.

19 MR. SCHINDLER: But I mean for safety reasons, even
20 though it's capped, do you have to have 100 feet based on
21 whatever might come up from the ground naturally around there?
22 Or possibly since it is a hole that goes down to gas, you
23 know, no matter if there is not a lot of pressure and even
24 though it's plugged, there is ways of things getting out. And
25 I was just wondering if it's a safety issue in general.
26 That's all I am asking.

27 MR. SOMMERS: Typically, in our experiences in other
28 developments that had gas wells, I believe the ODNR
29 regulations are -- Again, I've seen a commercial building
30 built over top of them and then they just vent them out the

1 side of the building. But we would be agreeable to a, on a
2 capped well, to say a 25 foot setback or something.

3 The process for that is you remove what's called the
4 tubing inside the big casing.

5 MR. SCHINDLER: Right.

6 MR. SOMMERS: The eight and five-eighths casing, and
7 then you basically put a grout cement all the way down 3,500
8 feet. And then it's tested to make sure -- excuse me -- that
9 there is not any gas coming up before that well complete
10 plugging report is finalized with ODNR and you get your bond
11 back.

12 MR. SCHINDLER: Okay.

13 MR. SOMMERS: So, typically, they're safe to build
14 10, 15, 25 feet away. I would suggest 25 feet in case we ever
15 have to get a rig in there again, say that plug failed. But I
16 think at that point, if the tank battery is gone and the well
17 is plugged, that 25 or 30 feet is a reasonable amount of
18 distance to be away from it.

19 MR. SCHINDLER: Okay.

20 MR. SOMMERS: So draw a circle 30 feet around, you
21 can always still get a service rig in.

22 MS. FREEMAN: So that would be something that you
23 would probably want to add to this language if that's, you
24 know, specifying, if there was a capped well, what that
25 distance would be then.

26 MR. SCHINDLER: Right, exactly.

27 MS. GERMOVSEK: So would that be in addition to this
28 setback from gas well language?

29 MS. FREEMAN: I would, yeah, if you're -- if you
30 want to add that, you would have to make that as part of your

1 modification.

2 MR. SCHINDLER: Could be and/or distance depending
3 on the condition. If it's capped, it's this.

4 MS. FREEMAN: Right.

5 MR. SCHINDLER: If it's still an active well, it's
6 this.

7 MS. FREEMAN: Correct, yeah.

8 MR. SCHINDLER: Then we cover both, both ends of the
9 spectrum.

10 CHAIRMAN LINGENFELTER: So we good with the 25 feet?

11 MR. SCHINDLER: If that's what's considered a --

12 CHAIRMAN LINGENFELTER: Capped?

13 MR. SCHINDLER: -- standard, yeah.

14 MS. FREEMAN: I am not aware of what the standard
15 is. I'm just --

16 MR. SCHINDLER: I am sure the state somewhere has
17 something that we'd have to abide by. I am sure we can find
18 that out from the Lake County, too, what they would recommend,
19 you know, just to be on the safe side. I am sure the Fire
20 Department people know, probably, a lot about that, too, I
21 would think. We used to have gas well regulation a long time
22 ago until the state stepped in and took that authority away
23 from us.

24 MS. FREEMAN: Right.

25 MR. SCHINDLER: I think if we go back and look
26 through maybe if we had some verbiage in there at that time,
27 maybe it's applicable, just research it --

28 MS. FREEMAN: Okay.

29 MR. SCHINDLER: -- and see, please. Thank you.

30 CHAIRMAN LINGENFELTER: There is probably standards

1 that address that, probably be able to build that in.
2 Whatever, whatever the -- whoever the governing body is, ODNR,
3 whatever on that, I think, is what we ought to, we ought to
4 follow that guideline. It might be a good idea.

5 MS. FREEMAN: Okay. I will look into it.

6 CHAIRMAN LINGENFELTER: So if we, if we move
7 forward, we are going to want to make a note on that.

8 Okay. Any other questions?

9 MS. GERMOVSEK: None for me.

10 MR. McINTOSH: No.

11 CHAIRMAN LINGENFELTER: All right. At this point, I
12 would like to open up the public hearing portion. What I
13 would like to do is on -- I will first start on my left, your
14 right. If there was anybody in favor of the zoning, this
15 zoning change that would like to come up and speak, anybody in
16 favor? Anybody opposed? Nobody.

17 Okay. I will move over to this side, my right, your
18 left. Anybody in the front row want to make a comment in
19 favor or opposed? Second row? What are you lined up with
20 there, Vanessa, the third row?

21 MS. PESEC: Sure, I will be the third row. I will
22 represent the third row.

23 CHAIRMAN LINGENFELTER: All right.

24 MS. PESEC: Of course.

25 CHAIRMAN LINGENFELTER: State your name and address
26 for the record, please.

27 MS. PESEC: Sure. Vanessa Pesec, 11705 Cali Court.
28 And so I come here and I usually come here to talk about
29 density and generally making sure that we have enough
30 commercial space, and so it seems to be what I always come to

1 talk about when I come to talk about these things.

2 And so, to me, the most important thing is that we
3 keep, per the Comprehensive Plans, keep stating that we keep
4 our precious 8 percent commercial space because we really
5 don't have a lot and that keeps our taxes lower because we're
6 able to, you know, utilize the commercial tax revenue in order
7 to fund the buildout that we have of all the residential
8 property in R-1 and mainly here in R-4 that's left.

9 And so we know that homes cost us money here in the township.
10 We surely don't get a lot back because you don't have an
11 income tax. And so it's really critical that we keep the 8
12 percent commercial.

13 So just on its face, I think it's really important
14 that we keep the commercial space commercial and not turn it
15 into a residential piece of property.

16 So let me just read you the paragraph that David
17 Radachy wrote up, and this is what they presented to the Land
18 Use and Zoning Commission when they have -- They have that
19 little committee and then that goes to the Planning Commission
20 for, for our vote, so this is the committee beforehand. So
21 Mr. Rose is the other person in the office, stated that the
22 request is to add single-family detached homes to the Town
23 Hall Neighborhood District and adding design standards for it.
24 The detached single-family clusters were part of the original
25 text amendment in 2009. The Planning Commission recommended
26 the housing to be removed and Concord Township removed the
27 use, so not just because the Planning Commission but because
28 you decided that it was necessary to remove the use.

29 The committee asked why the house was removed.
30 Staff stated that it was removed because the ratio between

1 residential uses and commercial/industrial needed to be 92 to
2 8 percent split in order to maintain services and, you know,
3 our financial well-being.

4 So this is an addition to, you know, to something.
5 In 2009, you decided against this proposal and so now it's
6 before you again, so I just wanted to have you understand that
7 as well.

8 Second, again, this is -- and you know this -- this
9 is a zoning request. This is not an applicant request. So
10 there are some standards in here but they're not necessarily
11 going to be what is proposed or anything like that. It could
12 be, like Heather said -- and it's a good point -- you know,
13 only four acres ends up getting developed or eight or
14 whatever. So this is just for that part.

15 There is discussion always with, about frontage and
16 whether or not that's a good idea or a bad idea, if you have
17 small lots that open up onto Concord-Hambden or 608. And when
18 you look on the east side of Ravenna along 608, there is a
19 whole bunch of new -- No, I mean east, west, north, south --
20 there's a whole bunch of new homes that were developed and
21 built over the last maybe 10 or 15 years on the north side of
22 608 that all have driveways that enter down onto 608 and we've
23 not had any problems with that. So the idea, do we need to
24 have this as a separate development so that all the homes
25 don't open up onto Concord-Hambden, if you have the R-1 or the
26 R-4 zoning in place and that density, it wouldn't be a
27 problem.

28 When I -- I wasn't able to put it all in together
29 but you have the chart for R-1, R-3, R-4, R-6 and R-8 and all
30 the minimum setbacks and everything in the zoning text, and

1 then I was starting to put in these and it looked like these
2 were much smaller even than R-8. I wasn't sure if I was using
3 the right numbers or matching it up. But the side yard
4 clearance is 7 and a half feet in the building setback and
5 here we had side yard clearance, side yard principal clearance
6 was 10 feet. That's eight homes per acre or eight units per
7 acre and it's 10 feet and here we have a less dense and it's
8 only 7.5.

9 So when I looked at this, I saw that all of these
10 numbers are more condensed so that the look will be, you know,
11 a much more dense kind of building than, than the area that
12 surrounds that with the new R-1 that was just rezoned and with
13 the R-1 that's just to the north of the church and homes as
14 you're driving along, you know, on 608 or on Ravenna and so
15 forth. So it just seemed that the -- that it would be better
16 if we would, at least, follow some more of the setbacks that
17 are currently here. If you're only allowing three home per
18 acre, you know, even in R-3 -- How many homes in R-3 per acre?

19 MS. FREEMAN: In the R-3 for a single-family
20 detached cluster, you are allowed a maximum of six units per
21 acre.

22 MS. PESEC: And it still requires 30 foot setback.

23 MS. FREEMAN: No. I think you are looking at the
24 wrong table.

25 MS. PESEC: Side yard principal building, dwelling?
26 So, yeah, so it would be good to -- I would like to see, I
27 think, putting this proposal in context with all of the, all
28 of the others so that, so that we could, that we could see
29 that then moving -- Did you want to say something about that
30 or --

1 MS. FREEMAN: I can clarify for the Commission if
2 they want.

3 MS. PESEC: That would be great because I would like
4 to know because I didn't --

5 MS. FREEMAN: Did you have a question that you
6 wanted me to -- or not at this point?

7 CHAIRMAN LINGENFELTER: Anybody have a question? I
8 think, go ahead, continue, Vanessa,

9 MS. PESEC: To this point, we've always been told
10 that in Concord, as seniors get older, they don't want to keep
11 up and maintain their yard and, you know, a larger house, and
12 so people want to downsize and that they've always had --
13 we've always talked about having more like a condo situation
14 so people don't have to deal with their -- the yards anymore
15 and the exterior and so forth.

16 So now tonight I am hearing that now we have seniors
17 that want to, you know, downsize but they're still going to
18 have their yard and it's just going to be a smaller house or,
19 you know, something like that. So, you know, it does seem
20 that, depending on what's going on, that we change the
21 scenario.

22 So I think that if there is a need for people to
23 downsize and move out of their house, you know, they live on
24 Ravenna and the yard is just getting too hard and, you know,
25 maybe it's a two-story home and too much space, then the
26 majority of people are going to want to go into some kind of a
27 situation where they don't have to deal with all that space,
28 they don't have to deal with the yard and then they can, you
29 know, lock the door and go down to Florida for a couple of
30 months if they're lucky enough to be able to do that and avoid

1 some of our winters, which they may have to stay through April
2 in order to avoid some snow. But -- So I am not sure that I,
3 you know, that I buy the idea of being a senior kind of thing.

4 In the way that it says "open space" or "common
5 space," I think it might be good, depending on how the
6 definition is in the definition of "space," to include
7 something about the quality of that open space, you know, how
8 contiguous it needs to be and the quality of the open space
9 because sometimes I think that, you know, this particular one
10 might be great but if this, you know, doesn't happen, it could
11 be another plan that wouldn't be nearly as good and you might
12 get little pockets where cont -- where open space is not
13 really a value.

14 So you want valuable so the, you know, critters and
15 wildlife can run from one to the other or where you even have
16 an idea where you kind of prioritize things so that a wetland
17 is more important than, you know, dirt scrub land, so that
18 they're not saving that and so that they're saving trees
19 versus something else or some kind of prioritization. I know
20 that other communities do that sort of thing so that you can
21 make sure that you are getting the best quality for open
22 space.

23 CHAIRMAN LINGENFELTER: Have you seen that land?

24 MS. PESEC: Have I seen this land?

25 CHAIRMAN LINGENFELTER: Yeah, the land that we're
26 talking about.

27 MS. PESEC: This particular, yes, but, you know --

28 CHAIRMAN LINGENFELTER: I mean, there is not a whole
29 lot of anything you're talking about.

30 MS. PESEC: Well --

1 CHAIRMAN LINGENFELTER: So, I mean, it's pretty much
2 just wide open flat, you know. There is no trees, there is
3 nothing there. It's just, pretty much, wide open on both
4 sides.

5 MS. PESEC: Oh, no. Oh, actually, I talked to
6 somebody tonight and she said -- she is a realtor and she said
7 that, she said, "Have you ever walked the property?" And I'm
8 like, "No, I can't go back there." But she said that it's,
9 it's an old sugar shack that is that old tilty little brown
10 thing and, you know, it has a lot of historical value, and
11 that when you go back farther -- So it's a big wetland area,
12 but when you go back farther there is some really beautiful
13 trees, old trees and conifers and things like that.

14 CHAIRMAN LINGENFELTER: Right up against 90 there?

15 MS. PESEC: Yeah, so up in -- Supposedly. I didn't
16 see it myself, yeah, but she said it's a really beautiful
17 piece of property back there, what we see. But then again,
18 you know, yeah, so it just might be good to, even in here,
19 even just making sure that, you know, contiguous and all that.

20 And then regarding gas wells, ODNR states that, at
21 least when we worked on the bill in 2011, I think, so Senate
22 Bill 165, in urban areas the setback was 150 feet. So you, if
23 you have an existing house, you couldn't put a well, it has to
24 be 150 feet in an urban area, 100 feet in a rural area.

25 ODNR has no regulation regarding how close you can
26 put a house to an existing well. They allow each community to
27 come up with their own setbacks. And I know that I have
28 spoken with the Trustees and others in the past that it would
29 behoove Concord to put in some zoning text for how close a
30 house can be built to a well because this is a perfect

1 situation. Technically, you could put it, as he said, on top
2 of a well. You can put it one inch from a well right now.
3 And a tank battery, those things that are smelly and that have
4 plumes of all that smoke, you can put it right up next to it.

5 So Concord can and should be putting in their
6 regulations and requirements so that you have, so that you
7 have, so that you have some setbacks. And 150 feet -- The
8 problem is, with those tank batteries, the explosion radius is
9 closer to 300 feet. I have seen them fly away in flames and
10 bump down 300 feet away. So the 150 feet even that ODNR says
11 is a distance is really insufficient.

12 You have on your books still oil and gas
13 regulations, 32, Section 32. It's not enforced because ODNR
14 took away home rule for this back in 2004 but it still is on
15 the books. And prior to ODNR taking it away, these
16 regulations stipulate 300 feet, which is more accurate and
17 what an explosion radius would be. So you could take this
18 regulation and just add, you know, this is for how far a well
19 would be from a house. You can just add a line on here how
20 close a house can be from a well, basically, and then you
21 would, you know, you might be able to utilize something or --
22 you're the expert -- you need a new section or however,
23 however it is you can do this but you could use this as, as a
24 template. But I think it's really important because we do
25 have a lot of wells in --

26 CHAIRMAN LINGENFELTER: It's one well.

27 MS. PESEC: No, in the township.

28 CHAIRMAN LINGENFELTER: Yeah, but we are not talking
29 about the township.

30 MS. PESEC: Right. No, well --

1 CHAIRMAN LINGENFELTER: We are specifically talking
2 about this rezoning issue, so we are dealing with one well.

3 MS. PESEC: Right. But in order to make regulation,
4 zoning text regulation, it would be for the whole township, so
5 it would be for, for all wells to protect all of Concord
6 citizens. But if you wanted to not do that, you can just put
7 it in for this in the Town Hall Neighborhood. And so instead
8 of 100 feet, you could at least put what ODNR has as 150 or --

9 CHAIRMAN LINGENFELTER: We are not an urban area
10 though, right? Aren't we semi rural?

11 MS. PESEC: No, you're urban because you have more
12 than 5,000 people in the township.

13 CHAIRMAN LINGENFELTER: So we're not semi rural
14 anymore?

15 MS. PESEC: You are urban per ODNR's definition, not
16 necessarily my personal one but ODNR's definition. You have
17 more than 5,000 people in your township.

18 CHAIRMAN LINGENFELTER: Ah.

19 MS. PESEC: So that's, I know, that's how --

20 CHAIRMAN LINGENFELTER: Interesting.

21 MS. PESEC: Yeah. Who knows? You know, they have
22 different wording for everything.

23 So I think that's everything. And so, yeah, I would
24 just encourage you to be really careful with the gas wells
25 because I have seen a lot of horrific things and things we
26 study a lot and it's really bad. So thank you.

27 MR. SOMMERS: Mr. Chairman, may I address?

28 CHAIRMAN LINGENFELTER: You absolutely may.

29 MR. SOMMERS: Again, Vanessa made this
30 recommendation, I think, once before at another subdivision.

1 That's why this was added. So we respect her opinion on this
2 gas well thing.

3 And on this particular site, I think I would be
4 willing to go to the 150 feet. I think common sense is to
5 dictate you don't want a well -- a house next to a well for a
6 lot of reasons, safety, smell. So we would -- I would concur
7 with even the 150 feet. Our goal, again, is to, if the court
8 approves the sale to us, we will be plugging the well.

9 The other thing that I would ask tonight is that
10 the -- possibly modify what we submitted to read 25 foot
11 radius from a plugged well or ODNR regulations, whichever is
12 greater, in order to move this along, if the committee would
13 so elect to do so.

14 CHAIRMAN LINGENFELTER: Okay, sure.

15 MR. SOMMERS: And I believe that's all we have to
16 say right now.

17 CHAIRMAN LINGENFELTER: Okay. Thank you.

18 Last row in the back, Chris, do you have anything
19 you would like to give us input on? Would you like to come up
20 and talk?

21 MS. JARRELL: No. I am good, Andy. Thanks for
22 asking.

23 CHAIRMAN LINGENFELTER: Well, I didn't want to let
24 you think we are ignoring you back there.

25 MS. JARRELL: Never.

26 CHAIRMAN LINGENFELTER: Okay. Is there anybody else
27 in the audience that would like to speak either in favor or
28 opposed to this request at this point? We have gone through
29 the audience portion.

30 Heather, any other comments from you on this with

1 regards to the discussion on the, on the gas well? I mean,
2 what's your thoughts there? If we are to move forward with,
3 this evening, with this proposal, the only kind of hanging
4 issue I see is what's the -- what are we going to do with it?
5 What's the distance going to be if it's a capped well?

6 MS. FREEMAN: Well, I think what Mr. Sommers was
7 suggesting, if you added in 25 feet from a plugged well or per
8 ODNR standards, whichever is greater, I don't know if that
9 satisfies this Board but -- So if ODNR comes back and says it
10 is supposed to be 30, then it's 30.

11 CHAIRMAN LINGENFELTER: Okay. So we'll say which --
12 So, basically, we will say 25 feet if capped per ODNR
13 regulations, whichever is greater.

14 MS. FREEMAN: Or, or.

15 CHAIRMAN LINGENFELTER: Or per. So we will say 25
16 feet if capped or per ODNR regulations, whichever is greater.

17 MS. FREEMAN: Uh-huh.

18 CHAIRMAN LINGENFELTER: Mr. Sommers, you okay with
19 that?

20 MR. SOMMERS: That's great.

21 CHAIRMAN LINGENFELTER: Okay. And you are okay with
22 moving that to 150 instead of the 100?

23 MR. SOMMERS: Yes, sir.

24 CHAIRMAN LINGENFELTER: Okay. Heather, would you
25 make that adjustment as well? So if we do the affirm -- If we
26 do a motion on this, that's what we will make sure that we
27 bring -- we add those two items.

28 Does anybody see any reason why we can't move
29 forward today or do we need to extend this beyond this
30 evening?

1 MR. SCHINDLER: Well, if we want to maybe put
2 everything here in writing and then, you know, recess the
3 meeting or do you think we can go through it with just -- if
4 they were here tonight, like, counsel, you know, our
5 attorneys, to say, yeah, we can go ahead with just amending it
6 with the verbiage we want to use.

7 CHAIRMAN LINGENFELTER: Well, I think we can. I
8 mean, it's here. I mean, we've got the verbiage. I think
9 Heather has done a nice job of making the, the appropriate
10 changes. It's pretty straightforward. The only real, the
11 only real change to me that I saw, that was just the setback
12 from the gas well issues. I didn't see any others issue.

13 We talked about the 50 feet versus the four -- or
14 the 500 feet versus the 400 square feet and Heather seems to
15 feel that, you know, the 400 feet, even though the Lake County
16 Planning Commission recommended 500 square feet, we're good.

17 I think the 30, I think the setback, you know, to 30
18 feet from the, you know, from the road, I think, is a good --
19 that's consistent with some of the other work we've done
20 recently on some of the other, you know, some of the other
21 things we have done coming up to this, right?

22 MS. FREEMAN: Right. Recently we added to the
23 R-3 --

24 CHAIRMAN LINGENFELTER: Right.

25 MS. FREEMAN: -- for the cluster development a
26 front, a front setback where we had none before.

27 CHAIRMAN LINGENFELTER: Giving us some extra room,
28 right.

29 MS. FREEMAN: Right. And the distance between
30 buildings in the R-3 is actually 15 feet between dwellings,

1 which is similar to what's being proposed here. So it is,
2 proportionate wise, it is consistent with other zoning
3 districts.

4 I think that table in Section 15 does not show all
5 the setbacks between the buildings. If you refer to --

6 CHAIRMAN LINGENFELTER: Right.

7 MS. FREEMAN: -- subsequent pages in Section 15,
8 specifically right after that table, there's some development
9 standards that relate strictly to the R-3 that give you a
10 better idea of those, what the, quote, unquote, lot setbacks
11 would be. It's a little bit different in the R-3 because it's
12 the condominium-type ownership but it's similar setbacks from
13 the private street and distance between buildings.

14 CHAIRMAN LINGENFELTER: We are good with the common
15 space/open space issue?

16 MS. FREEMAN: I mean, my comment on that, I mean, I
17 think it's up to you guys. If you want to specify something,
18 you know, different, although just this is not an RCD, it's
19 not a Residential Conservation Development.

20 CHAIRMAN LINGENFELTER: Right, right.

21 MS. FREEMAN: I think the point in this development
22 is to provide some common area for the residents to enjoy.

23 MR. McINTOSH: So something that is occurring to me
24 in this conversation of open space, we talked -- There was
25 mention, I think, Mr. Sommers mentioned there was wetland. So
26 are we -- So there was some unbuidable. Is that counting in
27 this space of open or are we talking about the wetland set
28 aside and then figuring? Refresh me on how we do that. You
29 said there was wetlands on there that you couldn't build on.
30 So I'm saying, how does, is that -- Did you say that? Is that

1 correct?

2 MR. SOMMERS: If you are -- Another document we did,
3 Concord Ridge, the wetlands, by design, are included in the
4 open space calculation.

5 MR. McINTOSH: Okay.

6 MR. SOMMERS: Because you want to protect those and
7 keep as big of a riparian setback as you can along those. So
8 I think it's important that the wetlands can be included in
9 the open space to protect them.

10 MR. McINTOSH: So that's what I just wanted
11 clarification. That is part of, when we say we're allowing
12 for --

13 CHAIRMAN LINGENFELTER: Right.

14 MR. McINTOSH: -- common space, that does include
15 the wetlands. So the wetlands goes towards that and then that
16 is X percent. Then if you have to block out more, you do a
17 little bit more to meet the --

18 MR. SOMMERS: Correct.

19 MR. McINTOSH: Okay. I just needed clarification.

20 MR. SOMMERS: For instance, on the south side of the
21 road, there will -- Almost all subdivisions today have to have
22 a retention pond.

23 MR. McINTOSH: Okay.

24 MR. SOMMERS: I think the goal today on all the
25 developments we do and the open is to make that retention pond
26 and asset, not a goose trap.

27 MR. McINTOSH: Right, right.

28 MR. SOMMERS: You know, so you make, part of the
29 area, you put maybe a bench there and a walkway around it
30 that's --

1 CHAIRMAN LINGENFELTER: It will be a goose trap
2 anyway.

3 MR. SOMMERS: But goose attract there, I guess. So
4 you take -- A lot of times, those retention ponds are a
5 liability. So you make them a wet pond.

6 CHAIRMAN LINGENFELTER: Right.

7 MR. SOMMERS: You put something around them so
8 people can walk around.

9 MR. MORGAN: But the 15 percent is off of the gross,
10 not the net, not the net buildable area once you take the
11 wetlands out.

12 MR. SOMMERS: The 15 percent as proposed in
13 Heather's is, is after the right-of-way is subtracted. So
14 it's going to be a larger number than if it was of the gross
15 area.

16 MR. MORGAN: Right.

17 MR. SOMMERS: Because you pull the right-of-way out
18 in the road. So for instance, on the south side, there will
19 be some type of road that goes in and probably Ts, goes each
20 way a short cul-de-sac. That will be pulled out, as well as
21 the right-of-way along Concord-Hambden, so your net area is
22 down to, call it six acres. Then it's 15 percent of the six
23 acres or approximately one acre. If you did it -- It just
24 works better and I think that's why Heather proposed it, or
25 the Planning Commission.

26 MR. McINTOSH: That answered my question. Thank
27 you.

28 MR. SOMMERS: Thank you.

29 MR. MORGAN: The only other, Mr. Chairman, the only
30 other area of concern for me would be the idea of a minimum

1 lot size to actually be included in this because, technically,
2 just throwing numbers together, you could conceivably have a
3 2,700 square foot lot, meeting the 12, for a single for a
4 one-story unit, meeting the 1,200 square feet with the side
5 yard, front yard and rear yard setbacks. So, you know, you
6 could conceivably have somebody come in and put a -- not
7 saying you would do this but, you know, you don't get the
8 Osborne side, we put that in, suddenly somebody comes in and
9 they're setting up. They might make it still meet the three
10 dwellings per unit but cluster all the houses very close
11 together and not -- with 2,700 square foot lots.

12 MR. SOMMERS: If you have -- May I? If you have 60
13 foot at the building line, you have a rear depth and a front
14 depth and the house at 1,200 square feet, it's impossible to
15 do the 2,700 square feet.

16 MR. MORGAN: Your depth would be, would be a minimum
17 of 85 feet.

18 MR. SOMMERS: Correct.

19 MR. MORGAN: So 60 by 85 is 2,700 square feet.

20 MR. SOMMERS: Your depth is going to be more than
21 that. It's going to be, well --

22 MR. MORGAN: If you have a 40 by 30 house, which
23 gives you 1,200 square feet, the house, with 30 feet being the
24 depth because you're meeting the width of your 40, plus your 7
25 and a half feet on either side, that's well within the 60
26 foot, so you are 60 foot width at 85 foot depth. I mean, I'm
27 just, again, I'm not arguing you per se but I am thinking
28 we're changing, we're changing this or possibly changing this
29 Code and somebody down the road coming in and utilizing this
30 Code to put in --

1 MR. SOMMERS: Our original proposal was 7,000 square
2 foot minimum lot, square feet in the lot, which is -- and with
3 a 9,500 square foot average of any lot in that subdivision.
4 Would that make you more comfortable?

5 MR. MORGAN: That would definitely make me more
6 comfortable just having some kind of minimum rather than --
7 Yeah, I would feel more comfortable.

8 MR. SOMMERS: We would be fine with that.

9 MR. MORGAN: I don't know about the rest of the
10 Board.

11 MR. McINTOSH: I think that's more prudent. I agree
12 with you.

13 MR. SOMMERS: Would you be comfortable with that
14 from an enforcement standard? Does that work?

15 MS. FREEMAN: I mean, having a minimum lot size
16 could prevent, you know, what Gerry is saying. Maybe that's a
17 little bit extreme but say someone comes in, like, oh, I want
18 to do 50 percent open space and still keep my density at three
19 units and cluster it all over here, you know, you could. So I
20 don't think it's a bad thing if you want to put a minimum lot
21 size in there. I guess, enforcement wise, it does make it
22 easier but --

23 MR. SOMMERS: We would be fine with that.

24 MS. FREEMAN: If you do do a minimum lot size, then
25 you change -- I am just trying to think out loud -- do you
26 still keep, you know, do you still specify the maximum density
27 for the whole development and dictate a minimum lot size?

28 CHAIRMAN LINGENFELTER: Yes.

29 MR. MORGAN: Yeah, because the maximum density and
30 minimum lot size are two separate --

1 MS. FREEMAN: Yeah.

2 MR. MORGAN: -- items to be determined.

3 CHAIRMAN LINGENFELTER: Anybody have a problem with
4 7,000 --

5 MR. SCHINDLER: No.

6 MR. McINTOSH: No.

7 CHAIRMAN LINGENFELTER: -- as a minimum?

8 MR. SCHINDLER: That's fine.

9 CHAIRMAN LINGENFELTER: Gerry, you okay with that?

10 MR. MORGAN: That's fine with me, yeah.

11 CHAIRMAN LINGENFELTER: Does that assuage your
12 concern?

13 MR. MORGAN: Yeah.

14 CHAIRMAN LINGENFELTER: Where would we --

15 MS. GERMOVSEK: Where is that?

16 CHAIRMAN LINGENFELTER: Where would we want to put
17 it, in the Density component? Minimum Lot, well, let's see.

18 MR. SCHINDLER: We would probably have to have
19 another line.

20 CHAIRMAN LINGENFELTER: Would we have to -- Building
21 height, accessory use, setback, minimum dwelling area, parking
22 requirements, open space. Would that --

23 MS. FREEMAN: Mr. Chairman, I would recommend that
24 you add it, you maybe add it after "Density" as a separate.

25 CHAIRMAN LINGENFELTER: Add it after Density?

26 MS. FREEMAN: Yeah.

27 CHAIRMAN LINGENFELTER: So we'll have -- that would
28 be -- So we will make that Letter C and then, then everything
29 will follow past that.

30 MS. FREEMAN: Right. If you are going to accept my

1 recommendation to 1(A), include "A. Minimum Development Area,"
2 then everything gets renumbered. B would be Density.

3 CHAIRMAN LINGENFELTER: Right.

4 MS. FREEMAN: C would be Minimum Lot Size.

5 CHAIRMAN LINGENFELTER: Lot Size, okay. So we are
6 going to make, we are going to make it Letter C will be
7 Minimum Lot Size and we are going to say 7,000 square feet.

8 MS. FREEMAN: Did you want to dictate an average lot
9 size as the applicant was stating that he would --

10 MR. McINTOSH: He said average 72 or --

11 MS. FREEMAN: Ninety-six.

12 MR. McINTOSH: No, ninety, yeah, he said ninety. I
13 don't know.

14 CHAIRMAN LINGENFELTER: He said like 9,500.

15 MR. McINTOSH: Yeah.

16 MS. FREEMAN: We don't really have that in other
17 sections. PI think we probably would just want to do a
18 minimum.

19 CHAIRMAN LINGENFELTER: I'm good with that. I would
20 rather just keep it with the, the minimum.

21 MS. FREEMAN: Okay.

22 CHAIRMAN LINGENFELTER: I would just address the
23 minimum lot size and not go beyond that. I think that
24 addresses the issue of some potential abuses down the road.

25 MS. FREEMAN: Okay.

26 CHAIRMAN LINGENFELTER: And then that will follow to
27 D and so forth.

28 Okay. Any other input from the Board at this point?

29 MS. GERMOVSEK: No.

30 CHAIRMAN LINGENFELTER: Sue, any comments?

1 MS. GERMOVSEK: No.

2 CHAIRMAN LINGENFELTER: Gerry, any other --

3 MR. MORGAN: No.

4 CHAIRMAN LINGENFELTER: Anything else you want to
5 talk about, Morgan? Frank? Nothing?

6 MR. SCHINDLER: I am fine.

7 CHAIRMAN LINGENFELTER: Heather, you think you have
8 -- you understand where we are at on these couple issues we're
9 going to make some changes on?

10 MS. FREEMAN: I mean, I imagine that you have marked
11 up --

12 CHAIRMAN LINGENFELTER: Yes.

13 MS. FREEMAN: -- what you have in front of you, too.
14 And if there is consensus by everyone to accept what I was
15 suggesting as far as recommendations to move forward, and then
16 with the modifications that we have just discussed as far as
17 including minimum, establishing a minimum lot size and
18 changing what was indicated under setbacks from gas wells, so
19 150 feet rather than 100 --

20 CHAIRMAN LINGENFELTER: Right.

21 MS. FREEMAN: -- from existing gas well or tank
22 battery, and also including in a minimum of 25 feet from a
23 capped well or per ODNR's regulations, whichever is greater, I
24 mean, that's --

25 CHAIRMAN LINGENFELTER: Right.

26 MR. SCHINDLER: If we are going to have a motion to
27 approve this tonight, someone should go through and make sure
28 every item is added as modified so that --

29 CHAIRMAN LINGENFELTER: I think what we can do is we
30 can recommend approving with modifications, you know.

1 MR. SCHINDLER: Right, that's what I mean.

2 CHAIRMAN LINGENFELTER: Then we can, I mean, then we
3 can throw that to the Trustees and they could -- You know,
4 there is going to be another public hearing, obviously, you
5 know, so it is not like it's over. And if there is, I
6 think -- But I think we have, pretty much, everything. I
7 think we have everything squared away.

8 MR. SCHINDLER: Yeah. We just have to make sure we
9 hit all the, all the target things we discussed tonight as
10 modified so, when we send it to the Trustees, that our minutes
11 reflect that, there is no misunderstanding.

12 CHAIRMAN LINGENFELTER: Right.

13 MS. FREEMAN: Right. And what we can do, too,
14 obviously, we can attach this modifications and give them a
15 clean copy based on whether --

16 CHAIRMAN LINGENFELTER: Right.

17 MS. FREEMAN: -- if you guys are recommending
18 approval or denial.

19 MR. SCHINDLER: Yes.

20 MS. FREEMAN: But through the making your motion --

21 MR. SCHINDLER: Yes.

22 MS. FREEMAN: Are you saying, Frank, that maybe
23 someone should go through and restate everything?

24 MR. SCHINDLER: I would like to see that because
25 once we make the motion and close it tonight, that's it. It's
26 finished.

27 CHAIRMAN LINGENFELTER: Well, for us.

28 MR. McINTOSH: Well, just the proposed
29 modifications.

30 MR. SCHINDLER: The proposed modifications. The

1 ones that, of course, you have proposed, along with the things
2 we discussed now --

3 MS. FREEMAN: Yeah.

4 MR. SCHINDLER: -- with the setbacks, lot sizes,
5 distance from the gas well, I would like to see that all.

6 CHAIRMAN LINGENFELTER: Yeah, no, yeah, that's all
7 in here.

8 MR. SCHINDLER: Yes, yes.

9 CHAIRMAN LINGENFELTER: I think we know --

10 MS. FREEMAN: Do you want to run through those as
11 part of --

12 MR. SCHINDLER: I don't know if I have them all
13 correct. I just want -- Andy has been writing them down.

14 CHAIRMAN LINGENFELTER: Yes, I have. And I think, I
15 mean, there wasn't that much. The minimum lot size, the 150
16 foot gas well setback.

17 MR. SCHINDLER: Gas well.

18 CHAIRMAN LINGENFELTER: Twenty-five feet if capped.

19 MR. SCHINDLER: Right.

20 CHAIRMAN LINGENFELTER: Or per ODNR regulations,
21 whichever is greater.

22 MR. SCHINDLER: Right.

23 CHAIRMAN LINGENFELTER: Those were the only things
24 that we really made any, you know, changes on.

25 MS. FREEMAN: But we do need to make it clear that,
26 of the changes that I was recommending, too, if you guys want
27 to --

28 MR. SCHINDLER: Correct.

29 MS. FREEMAN: -- if you wanted to amend the
30 applicant's text.

1 CHAIRMAN LINGENFELTER: Right.

2 MS. FREEMAN: So that's what I think you are --

3 CHAIRMAN LINGENFELTER: So it would be with
4 modifications.

5 MR. McINTOSH: Do you want us to read Heather's
6 modifications?

7 MS. FREEMAN: Yes.

8 MR. McINTOSH: Or just the ones we discussed
9 earlier?

10 MR. SCHINDLER: Well, Heather's modifications are
11 already -- We can just say accept Heather's modifications as
12 stated.

13 CHAIRMAN LINGENFELTER: Right.

14 MR. SCHINDLER: Plus these items --

15 MR. McINTOSH: Yes.

16 MR. SCHINDLER: -- which we have just covered this
17 evening.

18 MS. FREEMAN: Okay.

19 MR. SCHINDLER: And I think we are free and clear.
20 The Trustees knows exactly what we passed tonight, if we pass
21 it.

22 CHAIRMAN LINGENFELTER: Right.

23 MS. FREEMAN: Right.

24 MR. SCHINDLER: You know, I like to see things nice
25 and clean.

26 MS. FREEMAN: Okay.

27 CHAIRMAN LINGENFELTER: Right.

28 MS. GERMOVSEK: Me, too.

29 CHAIRMAN LINGENFELTER: Everybody okay?

30 MR. MORGAN: One other thing, Heather, just to be

1 clear on it, the two, obviously, not 500 square foot enclosed
2 parking areas but the other two recommendations from the
3 Planning Commission, are they, were they included --

4 CHAIRMAN LINGENFELTER: Fee simple, yes.

5 MR. MORGAN: -- in your amendments?

6 MS. FREEMAN: Yeah. So the first one referencing
7 dwelling, detached single-family.

8 MR. MORGAN: Right.

9 MS. FREEMAN: In the definition, we list it that way
10 because we put all the dwellings together.

11 MR. MORGAN: Right.

12 MS. FREEMAN: But in all the other sections we
13 reference it as "detached single-family dwelling."

14 CHAIRMAN LINGENFELTER: Right.

15 MS. FREEMAN: So kind of adopted that, making sure
16 it read through. But really the language, in my opinion,
17 should really state "detached single-family dwellings"
18 because, per the Table of Uses, that's how we do it, but just
19 in the definitions we kind of change it.

20 And then the last or -- required the lots to be fee
21 simple, I think based on the text that we have in front of us
22 now specifying a minimum lot size, specifying that only one
23 dwelling unit is permitted on each lot, it has to be built fee
24 simple.

25 MR. MORGAN: Okay.

26 MS. FREEMAN: They're not going to be able to do
27 condo ownership here. We are good there.

28 MR. MORGAN: Okay. Thank you.

29 CHAIRMAN LINGENFELTER: You all right?

30 MR. MORGAN: Yeah.

1 CHAIRMAN LINGENFELTER: Okay. Morgan, anything
2 else?

3 MR. McINTOSH: No.

4 CHAIRMAN LINGENFELTER: Frank, anything else?

5 MR. SCHINDLER: No.

6 CHAIRMAN LINGENFELTER: I am going to close this
7 public hearing. Okay.

8 Now, at this point, I will take a motion in the
9 affirmative, okay, and we will recommend approval with
10 modifications and the additional changes with regards to
11 things that we discussed with the minimum lot size and the gas
12 well setbacks. Okay? So that's what -- I will take a motion
13 in the affirmative and then we will do a roll call vote. I
14 need a motion.

15 MR. McINTOSH: Mr. Chairman, I move to recommend
16 approval with modifications, those being the approvals -- or
17 the text submitted by the Zoning Office, by Heather, and with
18 the following modifications: To add the minimum lot size of
19 7,000 square feet, and then to modify the setback from gas
20 wells to read "no residential" -- "No dwelling shall be
21 constructed within 150 feet of an existing gas well or tank
22 battery," and add that, "No dwelling shall be constructed
23 within 25 feet from a capped or per regulation from ODNR,
24 whichever is greater."

25 CHAIRMAN LINGENFELTER: Okay. I think that covers
26 it. I have a motion made. I will take a second.

27 MR. MORGAN: I will second that motion.

28 CHAIRMAN LINGENFELTER: I have a motion made and
29 seconded. Heather, would you call the roll?

30 MS. FREEMAN: Mr. McIntosh?

1 MR. McINTOSH: Yes.

2 MS. FREEMAN: Ms. Germovsek?

3 MS. GERMOVSEK: Yes.

4 MS. FREEMAN: Mr. Morgan?

5 MR. MORGAN: Yes.

6 MS. FREEMAN: Mr. Schindler?

7 MR. SCHINDLER: Yes.

8 MS. FREEMAN: Mr. Lingenfelter?

9 CHAIRMAN LINGENFELTER: Yes. Okay. Motion was made
10 and carried, all in favor, no opposed. All right. So --

11 MR. SOMMERS: Thank you.

12 CHAIRMAN LINGENFELTER: Yes. Thank you. Appreciate
13 your accommodations, too. It's nice to get cooperation, you
14 know, in things like that. It makes the process a lot easier,
15 a lot simpler.

16 Okay. Item Number 3 on the agenda was the work
17 session for Town Hall Neighborhood and Town Hall Commons
18 District. We are going to table that for now.

19 Item Number 4 is the approval of minutes for the
20 March 6, 2018, meeting. Do we have enough to do that? Let's
21 see. Morgan. No Peterson here. Okay, yeah, we can do it.

22 MS. GERMOVSEK: I will abstain.

23 CHAIRMAN LINGENFELTER: Yes, you will abstain.
24 Okay. So I will entertain a motion on the minutes from the
25 March 6th meeting.

26 MR. SCHINDLER: Mr. Chairman, I so move that we
27 accept the minutes of March 6th as presented.

28 CHAIRMAN LINGENFELTER: Okay. A motion made.

29 MR. McINTOSH: Second.

30 CHAIRMAN LINGENFELTER: Seconded. All in favor say

1 aye. Opposed?

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

3 CHAIRMAN LINGENFELTER: None opposed, one
4 abstention.

5 Okay. Item Number 6 on the agenda is we are going
6 to move -- we are going to do the election of the chair and
7 vice chair for this next coming year, the, the -- What is it?
8 What do you call that? Succession, succession.

9 MR. SCHINDLER: Succession.

10 MR. McINTOSH: I wasn't sure what you were groping
11 there for.

12 CHAIRMAN LINGENFELTER: Well, you didn't help me
13 either. You weren't helping me. You weren't helping me. The
14 succession planning for the -- would be, Morgan is now the
15 vice chair, so the succession would be for him to become the
16 chair. And then we need to nominate a vice chair. I think
17 Mr. Peterson's turn is up for the vice chair, so -- and he is
18 not here, so that makes it even easier to nominate him because
19 he can't protest.

20 So we need to do an election of officers. I need a
21 motion for the, for the chairman.

22 MR. SCHINDLER: Mr. Chairman, I so move that Morgan
23 McIntosh be chair for the next year, along with vice chair of
24 Richard Peterson.

25 CHAIRMAN LINGENFELTER: I have a motion made.
26 Seconded?

27 MR. MORGAN: I will second that.

28 CHAIRMAN LINGENFELTER: All in favor say aye.

29 Opposed?

30 (Five aye votes, no nay votes.)

1 CHAIRMAN LINGENFELTER: None opposed. Motion
2 carries. So for the next cycle, we will have Morgan McIntosh
3 as chair and Rich Peterson as vice chair.

4 Okay. The next item on the agenda is the audience
5 participation portion. Is there anyone here that wants to
6 participate, anything they want to say? Come on up, Vanessa.

7 MR. McINTOSH: You skipped correspondence.

8 CHAIRMAN LINGENFELTER: No, I'll do that. I'll do
9 that last. Thank you.

10 MR. McINTOSH: All right.

11 MS. PESEC: You know who I am. I have a question
12 for Heather. Were these, the zoning plans or the zoning text,
13 was it on the website anywhere?

14 MS. FREEMAN: Yes, yeah.

15 MS. PESEC: Where?

16 MS. FREEMAN: It's on the home page of the Zoning
17 Department.

18 MS. PESEC: Okay. So, so when -- Oh, this proposed
19 one?

20 MS. FREEMAN: The text, the text application that
21 was just in front of us that we had has been posted on the
22 website.

23 MS. PESEC: Okay. So it's, it's a different place
24 than when you click on the meeting, there is an agenda page.

25 MS. FREEMAN: Right. Yeah, we were not able to
26 upload, like, meeting packet information on that portion of
27 the website, so it is on the home page of the Zoning
28 Department.

29 MS. PESEC: Okay. Would you maybe be able to just
30 put a note by the event because, like, I looked and saw the

1 agenda page, right? And so I am like, well, I can see that
2 there is an agenda and that there is something but I don't
3 know what it is. I can't, you know -- Only because I am in
4 the Planning Commission I knew what the words were.

5 MS. FREEMAN: You found the agenda though?

6 MS. PESEC: I did find the agenda.

7 MS. FREEMAN: Okay. So we are making some changes
8 to the website that is going to allow --

9 MS. PESEC: Why not put a little --

10 MS. FREEMAN: We are making some changes to the
11 website that's going to allow us to upload a meeting packet in
12 that area so you can see agenda, transcript, video, and like
13 meeting packet. So moving forward, I believe we will have
14 that ability but up until now we did not.

15 MS. PESEC: Oh, that will be perfect good.

16 MS. FREEMAN: Yeah, it's still in the works with our
17 web developer. Unfortunately, it is not a change we can do
18 ourselves.

19 MS. PESEC: Exactly. And then the minutes are also
20 somewhere on the website from the prior meeting?

21 MS. FREEMAN: Yeah. So after we approve them, then
22 we post them.

23 MS. PESEC: And they are where?

24 MS. FREEMAN: Same location, under the public
25 meetings. So you can go back and find old agendas and then
26 transcripts. So we adopt the transcript as our minutes, so
27 you will just see the transcripts.

28 MS. PESEC: Okay, good.

29 MS. FREEMAN: After they have been adopted.

30 MS. PESEC: I could navigate the old website. I

1 can't figure this one out. I haven't spent maybe enough time.
2 Okay, perfect, good. Thank you. Appreciate it.

3 MS. FREEMAN: Sure.

4 CHAIRMAN LINGENFELTER: Anything else?

5 MS. PESEC: No, thanks.

6 CHAIRMAN LINGENFELTER: Thank you.

7 All right. Correspondence report by Zoning
8 Commission members, Frank?

9 MR. SCHINDLER: None, Mr. Chairman.

10 CHAIRMAN LINGENFELTER: Morgan?

11 MR. McINTOSH: None.

12 CHAIRMAN LINGENFELTER: Gerry?

13 MR. MORGAN: No correspondence.

14 CHAIRMAN LINGENFELTER: Susan?

15 MS. GERMOVSEK: No.

16 CHAIRMAN LINGENFELTER: Nothing?

17 MS. GERMOVSEK: Nothing.

18 CHAIRMAN LINGENFELTER: I had nothing.

19 All right. And the next meeting for the Zoning
20 Commission will be May 1st, already, May 1, 2018. The year is
21 flying by.

22 Any other items anybody would like to see on the
23 agenda coming up? Heather, do we have anything pending or
24 imposing on what we're doing?

25 MS. FREEMAN: I am trying to think. No. Just, you
26 know, the Holiday Inn Express and the hardware store, they've
27 been -- I've been talking with them. You guys both granted
28 them both conditional approval. The hardware store was last
29 year, December, and then the Holiday Inn Express was a couple
30 months ago. So they're making final revisions to their

1 documents and getting that in for permit and submitting all
2 their projects to the county. So you will probably -- They're
3 hoping to both start those projects, you know, in a month or
4 so.

5 But as far as new items on the agenda, no, not -- no
6 one is -- I think somebody is close to maybe submitting but it
7 will probably be another month or two or two months, actually,
8 before it will get in front of you. Wo as of right now, I am
9 not really sure what we will have on the agenda for next
10 month.

11 MS. GERMOVSEK: Drug Mart will be open.

12 MS. FREEMAN: Yeah, Drug Mart should be open.

13 CHAIRMAN LINGENFELTER: Right.

14 MS. FREEMAN: We're hearing May 1st.

15 CHAIRMAN LINGENFELTER: Yeah, that's coming along
16 nicely.

17 MS. GERMOVSEK: Yeah, it looks nice.

18 CHAIRMAN LINGENFELTER: I see that Chipotle is --

19 MS. FREEMAN: Chipotle is under way.

20 CHAIRMAN LINGENFELTER: -- is under construction out
21 front in Crile Crossings there. Anything --

22 MS. FREEMAN: Yes. We had a preapplication meeting
23 with some people that are looking at developing one of the
24 corner lots on Gold Court but they --

25 CHAIRMAN LINGENFELTER: Corner lot being out to the
26 -- by Crile or --

27 MS. FREEMAN: Yeah, Crile and Gold across from where
28 the hardware store is now.

29 CHAIRMAN LINGENFELTER: Right.

30 MS. FREEMAN: Just on the other side of the Gold. A

1 whole little -- freestanding retail buildings. But they're
2 not going to be in time --

3 CHAIRMAN LINGENFELTER: Right.

4 MS. FREEMAN: -- to be on next month's agenda. So
5 we will see when that will come in, what that will be exactly.

6 CHAIRMAN LINGENFELTER: Okay. Anything happening
7 with Reider's?

8 MS. FREEMAN: I don't have any update on that.

9 CHAIRMAN LINGENFELTER: I keep hearing lots of
10 opinions.

11 Okay. With that, then we will close the meeting.

12 Adjourned.

13 (Whereupon, the meeting was adjourned at 8:25 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 23rd day of April 2018.

Melinda A. Melton
Registered Professional Reporter

Notary Public within and for the
State of Ohio

My Commission Expires:
February 4, 2023