

CONCORD TOWNSHIP BOARD OF TRUSTEES
LAKE COUNTY, OHIO
PUBLIC HEARING and REGULAR MEETING

Concord Town Hall
7229 Ravenna Road
Concord, Ohio 44077

February 7, 2018
7:00 p.m.

TRANSCRIPT OF PROCEEDINGS

Present on behalf of the Board of Trustees:

Christopher Galloway, Chairman
Caroline Luhta, Vice Chairwoman
Paul R. Malchesky, Trustee
Amy Dawson, Fiscal Officer

Also Present:

Michael Lucas, Esq., Legal Counsel
Chief Matt Sabo, Fire Department
Heather Freeman, Planning/Zoning Director
Debra Esker, Recreation Director

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

7:07 p.m.

CHAIRMAN GALLOWAY: Okay. I am going go ahead and open up the public hearing for the proposed zoning text amendments in the Concord Township Zoning Resolution. It is, let the record reflect, 7:07 on Wednesday, February 7, 2018. I will start by having Heather come up and just give a brief executive summary for those here as it relates to these amendments. And we have in front of each of you what was approved or recommended by the Zoning Commission.

Heather, do you want to give just a brief overview for the Board?

MS. FREEMAN: Sure, yes. And just to clarify what Chris just referenced, what is in front of him is actually just the, if you close, it's the vote record sheet for this evening, but you already have -- I transmitted all the recommended amendments.

CHAIRMAN GALLOWAY: Yeah, we have all of that.

MS. FREEMAN: Connie was looking for something that wasn't in front of her.

MS. LUHTA: Yeah, you said we have --

CHAIRMAN GALLOWAY: Oh, I didn't know, realize that you all didn't get it, well, because it has this nice little executive summary.

MS. LUHTA: Right.

CHAIRMAN GALLOWAY: Why don't we do -- Amy, would you mind making a copy of this for everybody --

MS. FREEMAN: I am sorry.

CHAIRMAN GALLOWAY: -- while Heather does that. Thanks.

MS. FREEMAN: Okay. So as this Board knows, the

Zoning Permit section, that help clarify when a zoning permit is required for a project. In addition, the amendments require that any residential property now proposing to construct a fence must obtain a zoning permit, except for those, obviously, that are agriculturally exempt. The current provision states that, if you have one acre or more, you are not required to get a zoning permit. However, since we have regulations that pertain to those, it would be easier for staff to enforce that if everyone was required to get a zoning permit.

In addition, there is proposed amendments that include revisions to the R-3 Residential District. So for any new R-3 residential development that's proposed to contain detached single-family cluster dwellings, those dwellings must now be located a minimum of 36 feet back from the edge of a private road which it fronts upon.

In addition, for any new R-3 development proposing to do the multi-family buildings, we now require guest parking to be provide at a ratio of one space for every five dwellings.

Some other sections that were changed had to do with Section 22, which is the Commercial and Industrial District. These amendments are proposing to expand the microbreweries and microdistilleries into additional zoning districts, including the BX, the GB, and the B-1.

In addition, we put together some new regulations that will allow an urban winery to potentially be located as a conditional use within the township in the same districts where the microbreweries and the microdistilleries are permitted. Also, new definitions and specific conditions were

Zoning Commission has been working on several different amendments to the Zoning Resolution over the last year, some of them that were discussed last year. Many of the items were housekeeping items, although there were other revised regulations and also there were some expansion of some commercial uses within the commercial districts. So I am just going to briefly go over some, some of the notable changes.

One of those had to do with Section 29, our Off-Street Parking section. The amendments included language that's now going to further encourage the use of stormwater management practices when developing parking areas by including the use of porous paving systems and permeable pavers, also bioretention and other practices that integrate the stormwater management into parking areas and landscape areas during the design phase of a commercial project.

We've also included definitions to the Section 5 that relate to the Parking section. Some other parking amendments include some provisions that the township is encouraging the use of shared drives and cross-access easements for commercial developments and nonresidential, nonresidential developments. This will eliminate some of the additional curb cuts maybe along township roads, Capital, Gold Court, things that we have control over.

In addition, there were other amendments that are proposing to further define what the waiting space requirements are for uses such as car washes, gas stations, banks. The changes now include dimensions for what those waiting spaces are, the minimum number and where the waiting spaces are measured from.

In addition, there is changes to Section 11, the

included in Section 5.02 and 13.35 pertaining to the urban wineries.

There were also some other, several housekeeping changes in Section 36, which is the Site Plan Review section. In addition to modifying the review process, moving forward the Zoning Commission will review, will review all the -- all new site plan applications rather than going to the Board of Zoning Appeals if the site plan is for a conditional use. If the use is a conditional use, a conditional use permit is obviously still required to be granted by the BZA before going in front of the Zoning Commission for site plan review.

The amendments also include provisions that establish minor changes to an approved site plan that can be approved by the Zoning Inspector and what will be classified as a major change for something that must be approved by the Zoning Commission.

That is a brief summary of what is before you. I will be happy to answer any questions. I did include, also, with the information the recommendation, obviously, from the Zoning Commission and from Lake County Planning Commission.

MR. MALCHESKY: As I look at the overall philosophy of these amendments, it appears that it's just, just to make a township in all these certain areas work better, more efficient, spacier, you know, specifically with, you know, waiting spaces, parking requirements, as well as trying to be a little bit more environmentally friendly with the stormwater management amendment as well. Fair to say?

MS. FREEMAN: Uh-huh.

MS. LUHTA: And requiring zoning permits for things that we had overlooked before, that's important, too.

MS. FREEMAN: Yes.

CHAIRMAN GALLOWAY: Anything else for Heather?

MS. LUHTA: No.

MR. MALCHESKY: No. Thank you.

CHAIRMAN GALLOWAY: I will open it up to anybody from the audience that would like to speak as it relates to these proposed zoning text amendments, pro or con. If there is no one that wants to talk, and you have no other question or comments --

MR. MALCHESKY: I don't.

CHAIRMAN GALLOWAY: -- I will close the hearing.

MR. MALCHESKY: You can close the public hearing.

MS. LUHTA: Yes.

CHAIRMAN GALLOWAY: No objections, okay. The public hearing is closed.

(Whereupon, the public hearing was closed at 7:15 p.m. There was a recess until the regular meeting commenced at 7:30 p.m.)

CHAIRMAN GALLOWAY: I'll call the Concord Township Board of Trustees regular meeting to order. Please stand for the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

CHAIRMAN GALLOWAY: All right. Roll call, please.

MS. DAWSON: Mr. Galloway?

CHAIRMAN GALLOWAY: Here.

MS. DAWSON: Mr. Malchesky?

MR. MALCHESKY: Present.

MS. DAWSON: Mrs. Luhta?

MS. LUHTA: Here.

CHAIRMAN GALLOWAY: Approval of minutes. January 3rd, anybody have any changes on those?

MS. LUHTA: No.

CHAIRMAN GALLOWAY: Okay. Those are approved. How about the 17th?

MS. LUHTA: Yep.

CHAIRMAN GALLOWAY: Connie, you have something.

MS. LUHTA: I have something. Under Trustees, "Pinehill" is one word.

CHAIRMAN GALLOWAY: That's true.

MS. DAWSON: Okay.

MS. LUHTA: That's all.

CHAIRMAN GALLOWAY: Those stand approved with that small change.

That's going to bring us into Fiscal Officer report, Mrs. Dawson.

MS. DAWSON: Thank you, Mr. Galloway. As of January 31st, we were 8 percent of the way through the calendar year. The Treasury balance for the 19 funds within the Township Treasury was \$4.9 million. The Treasury balance also includes \$50,000 in funds set aside for specific projects.

Year-to-date expenditures were 9 percent of the Treasury balance for 2018 and revenue was 1.5 percent. Basically, the only revenue we got in the month of January was JEDD revenue and EMS revenue. We will be slightly overbudget until the real estate taxes come in during the month of March.

Mr. Galloway and I were in Columbus last week. I was there seeking my CPIM accreditation. The State Treasurer's Office requires I complete 6 hours of training

annually. I was able to complete 5.75 hours. The Auditor of State also requires 12 credit hours to be completed during my upcoming -- well, during my term, along with public records and ethics training. I completed that commitment last year.

If you have any questions, please do not hesitate to call our office, 354-7516.

CHAIRMAN GALLOWAY: Paul.

MR. MALCHESKY: I met with Painesville Water.

They're working on some of the water issues that we have that are on Painesville water lines. I met with the Fire Department regarding some strategic planning matters. And then I've been meeting with the Service Department doing employee reviews, so we're about halfway through on that matter.

CHAIRMAN GALLOWAY: All right. Connie, what have you got?

MS. LUHTA: Nothing this time.

CHAIRMAN GALLOWAY: Okay. As Amy mentioned, I was in Columbus for two days, cut it short, on the OTA conference. I have nothing particular to report as it relates to that. It was a pretty good conference actually this year, had a lot of good topics in terms of seminars and classes and things of that nature.

MS. DAWSON: It was actually difficult for me, too. Because I have to get that training for certain classes, there were other classes that I couldn't attend, unfortunately.

CHAIRMAN GALLOWAY: I know. And I have to double check. They may have some of those handouts available online.

MS. DAWSON: They do.

CHAIRMAN GALLOWAY: And they can get them to us. So

I have a couple that I was not able to get to that I did have an interest just because of conflicts, multiple ones. So until I learn how to clone myself, so it will be. That's all I've got.

Then as we move into department reports, I would point out to department heads that there is no audio and no video of this, so feel free to abridge your report for the purposes of just anything you want on the record and if there is anything that this Board needs to be aware of outside of our regular staff and office hours. There is no other purpose.

So I will hand it off to Administration and I have no report as far as Administration goes right now. Hopefully, we will have a new Administrator soon. That part will be -- The window will be closing on the 15th in terms of the deadline to submit something and then we will begin the, the interview process, Sue.

And then so that will bring us to Fire Department.

CHIEF SABO: Good evening.

CHAIRMAN GALLOWAY: Good evening.

MS. LUHTA: Good evening.

CHIEF SABO: It does seem a little bit more casual and laid back without the --

CHAIRMAN GALLOWAY: I wasn't going to get a suit on just to --

CHIEF SABO: Well, that wasn't in reference to you.

CHAIRMAN GALLOWAY: I love you all dearly but I mean, you know.

CHIEF SABO: Suffice it to say, for the month of January, we ran a total of 222 calls and the fire prevention

bureau stays really busy over the winter months trying to get caught up on annual inspections.

If I may, in reference to Item H on the -- under New Business, if I can address that a moment.

CHAIRMAN GALLOWAY: Yep, please do.

CHIEF SABO: The full-time firefighter eligibility list that was established in 2015 has since expired in 2017. And under Item H, I am requesting permission from the Trustees to officially expire that list and authority to establish a current eligibility list for full-time firefighter that will be valid for two years following the posting of the final scores.

MR. MALCHESKY: So moved.

MS. LUHTA: Second.

CHAIRMAN GALLOWAY: All those in favor? (Three aye votes, no nay votes.)

CHIEF SABO: The only other item I had was just to give a little bit of background into the Fire Department. Concord Fire Department was established in 1948, responded with one engine out of the basement of Town Hall, right underneath our feet. And Station 1 was originally built as a combination fire station and community center.

The current stations were both built in the mid '60s and have gone through several transformations to meet our needs. While the firefighters work very hard to maintain the facilities, we're seeing signs of structural wear that forced us to evaluate the feasibility of continued and increasing repair costs. The Ohio Fire Chiefs' Association has completed a study of all Fire Department facilities and have recommended the replacement of both stations for a number of reasons.

They dispensed approximately 1,000 tons of salt, which represents nearly 40 percent of the annual usage, with one or more months of potential winter weather yet to come. They are currently on pace to exceed 2,600 tons of salt.

CHAIRMAN GALLOWAY: Yeah. And the overtime is killing us.

MS. LUHTA: Yes.

CHAIRMAN GALLOWAY: Absolutely killing us.

MR. MALCHESKY: I will leave the rest for later on TV but, for the most part, they're burning through a lot of salt because it's cold and we have --

CHAIRMAN GALLOWAY: Yep.

MS. DAWSON: And the reason they're not here right now is because they were up at 3:00 a.m. salting.

CHAIRMAN GALLOWAY: And we needed them to do it. Heather, what've you got?

MS. FREEMAN: So for the month of January, the Zoning Department issued 8 zoning permit applications and collected just over \$1,500 in fees. Three permits were for residential projects, while the remaining five were for commercial. A couple notable permits issued include one for the construction of the new building for Chipotle and another for the interior buildout for Pet Value. Both of these businesses will be located at the Crile Crossing retail center on Crile Road.

Last night, the Zoning Commission met. They had a public hearing on an application for a Zoning Map amendment to rezone two acres of land from Town Hall Neighborhood to R-1 on Concord-Hambden Road. The Commission voted to recommend denial of the application to the Trustees and, this evening,

Please refer to our website if you would like to read the complete study.

Our goal in moving forward is to be able to provide a safer and more efficient facility for your responders to answer your calls and reduce response times and help place us in a more strategic location for the future.

Fire stations today are built largely with a 100-plan for longevity, so not like the past where it's been 50 years. So I look forward to working into the future and always planning ahead. So thank you.

CHAIRMAN GALLOWAY: Thanks, Chief. I did get your email on the RFQ process. I haven't had a chance to look through it yet. So --

CHIEF SABO: We have a couple days yet.

CHAIRMAN GALLOWAY: Let's see. Service Department, Paul. Are you talking about potholes today?

MR. MALCHESKY: You know what? I talked a lot about potholes today, that was earlier this morning.

MS. LUHTA: I saw lot of them today.

CHAIRMAN GALLOWAY: I've had, actually, I've had more calls, emails and I've been tweeted at about potholes than I have in the last 12 years. That's how bad it's been this year.

MR. MALCHESKY: Well, you know, we have seen them tore up. And the report is they've been having a fairly active winter pattern of cold and snow. The Service Department dispatched, dispatched crews 23 times to address snow and ice conditions, and made 40 or more passes on each road, plowing each road entirely, ringing cul-de-sacs, salting hills and curves and intersections each time.

it is on your agenda. You are in charge of scheduling your own separate public hearing on the amendment.

Finally, the Board of Zoning Appeals next week will meet on Valentine's Day at Town Hall at 7:00 p.m.

CHAIRMAN GALLOWAY: It will be a lovefest.

MS. FREEMAN: So if you have nothing to do, you can join us. They will be hearing one conditional use permit request for a counter service restaurant and one variance request for the height of a commercial building. The detailed agenda can be found on the township website.

And, as always, feel free to contact the Zoning Department if you have any questions about any of these matters or anything else.

CHAIRMAN GALLOWAY: So we're on pace to build 12 houses this year, very good.

MS. FREEMAN: We will see. Yep.

CHAIRMAN GALLOWAY: All right. Let's see. Recreation Department.

MS. ESKER: I am not sure what I can cut out of my speech. There is so much going on in Recreation, so if you would just humor me.

MS. LUHTA: Okay.

MS. ESKER: Good evening.

MR. MALCHESKY: Chris missed you at staff meeting, so why don't you give him that?

CHAIRMAN GALLOWAY: Did you get my post cards?

MS. ESKER: I did. Thank you. Looking into them.

The Concord Township Recreation Department encourages everyone to bust through those winter blahs to check out our appealing menu of classes at the Concord

1 Community Center. In February, we're offering Tai Chi and
2 Pound classes, along with our new Karate program for both kids
3 and adults. So if you want to start a new hobby, consider our
4 photography course. If you want to improve your computer
5 skills, take our Microsoft Windows hands-on seminar. If you
6 love arts and crafts, join us for an adorable String Art Heart
7 class or a more in-depth mixed media painting session. Kids
8 will love our Cooking with Cupid class. And anybody who is
9 interested in the new color for relaxation trend will really
10 enjoy our Get Calm and Color On class, led by instructors from
11 the Mentor Library.

12 If your family is looking for something fun and
13 totally different to do this winter, then our Dogsled
14 Adventure at the Old Stone School is calling your name. Learn
15 the history of dogsledding and then experience the thrill of
16 the chase. But rest assured that no animals will be harmed in
17 the making of this adventure because the pack that pulls the
18 sled will be your own family. So sign up today and bring your
19 camera.

20 This afternoon, our 55 Plus Group was treated to a
21 Valentine's Day celebration with the Golden Notes Band. Our
22 next 55 Group gathering will be February 21st, when a music
23 therapist will teach us how to relieve stress, decrease pain
24 and sharpen our memories using music as therapy.

25 We're also -- The Recreation Department is
26 co-sponsoring a Book Club at the Community Center with the
27 Mentor Public Library and the Morley Library. The first
28 month's selection is The Unclaimed Victim, by local author
29 D. M. Pulley. And copies of the book are available for loan
30 for free at the Concord Community Center, so just stop by or

1 call us to make arrangements to join the Book Club and pick up
2 your book.

3 And I am very excited to report that planning
4 for two exceptionally important celebrations is under way.
5 So everybody should mark their calendars for Saturday,
6 August 11th, for Concord Community Day 2018. We always
7 welcome your comments, suggestions and ideas to make this the
8 best year yet for our residents to celebrate and enjoy.

9 And another really exciting occasion happens a few
10 years away, in 2022, when Concord Township celebrates its
11 bicentennial. Preliminary planning for this significant
12 year-long series of events has already begun. But an
13 important initial step is to establish a planning committee to
14 assist in idea generation, plan creation, fundraising,
15 advising, and ultimately implementation. So I respectfully
16 ask the Trustees for permission to form this bicentennial
17 committee and ask them to formally recognize it and vote on it
18 at this time, and it relates to Item I under New Business.

19 MR. MALCHESKY: Do you want to make a motion,
20 Connie?

21 MS. LUHTA: Okay. I move that we establish a
22 committee for the planning of the bicentennial.

23 MR. MALCHESKY: I will second that.

24 CHAIRMAN GALLOWAY: All those in favor?
25 (Three aye votes, no nay votes.)

26 CHAIRMAN GALLOWAY: I am excited about this.

27 MR. MALCHESKY: Do you know what to name it?

28 CHAIRMAN GALLOWAY: Bicentennial Committee.

29 MR. MALCHESKY: I mean, there is -- 2022
30 Bicentennial?

1 MS. DAWSON: It's our only bicentennial, Paul.

2 MR. MALCHESKY: It's seems so non --

3 MS. LUHTA: Okay. That's --

4 CHAIRMAN GALLOWAY: All right. Since this is Ohio,
5 since this is Ohio, The Bicentennial Committee, how is that?
6 Does that do it for you?

7 MR. MALCHESKY: I never saw "The" as a wow factor.

8 CHAIRMAN GALLOWAY: Listen, you ought to talk to
9 Gordon Gee.

10 MS. ESKER: I just have a couple of announcements to
11 finish up, then I promise I will give up the podium.

12 We encourage everyone to sign up for Concord
13 Township's monthly electronic newsletter, the e-Grapevine.
14 It's emailed directly to your inbox the first part of each
15 month. It's nice. It's concise. It tells you what's
16 happening in Concord Township for that month. Sign up through
17 our website or just contact the Recreation Department for
18 assistance.

19 And, lastly, the Community Center has a new buzz-in
20 security system, so you may find the doors locked if there are
21 no large events going on at that time. All you do is simply
22 press the call button right next to the door, next to the big
23 sign that says "Press the Call Button," and you'll reach a
24 staff member to let you into the building.

25 So any questions on anything recreation, we'd love
26 to talk about it and we would love to talk with you. We're
27 available at (440) 639-4650. Thank you.

28 MS. LUHTA: Thank you.

29 CHAIRMAN GALLOWAY: Just as an FYI, I was -- I got
30 outreached from a graphic design professor at OU and I

1 volunteered Community Day. One of the assignments she's going
2 to give as a test to her graphic design students is event
3 posters. So I volunteered us to do, if some student wants, to
4 do one for Community Day.

5 MS. ESKER: Oh, my goodness, that's great.

6 CHAIRMAN GALLOWAY: So what I will need from you is
7 actually, as we get a little bit closer here, is the time
8 frame on things that you think -- the rundown of the schedule
9 because they'll need that for the poster. Now, we're under no
10 obligation to use it or anything. It's just a, it's just a
11 teaching tool, and she looks for real events for these
12 students to actually do a poster for.

13 MS. ESKER: Fantastic. I actually have a tentative
14 schedule.

15 CHAIRMAN GALLOWAY: Will you email it to me?

16 MS. ESKER: Yep.

17 CHAIRMAN GALLOWAY: And I'll just -- I will forward
18 it right over.

19 MS. ESKER: Yep. Thank you. Great.

20 CHAIRMAN GALLOWAY: And we will get moving. Thank
21 you.

22 MS. ESKER: Thank you.

23 MR. MALCHESKY: The sheriff could not make it here.
24 I did talk with them. They were in my office. They had an
25 event. So they're skipping the report tonight and we will get
26 a report later on.

27 CHAIRMAN GALLOWAY: Have them come to the next one.

28 MR. MALCHESKY: I will do that.

29 CHAIRMAN GALLOWAY: Audience portion. You guys,
30 just so you know, it's because the sound board broke, it died,

1 so they had to order a new one. So there is no TV or
 2 otherwise until we get it in. So that's why there is no
 3 television, and it feels weird.
 4 MS. LUHTA: Yeah.
 5 MR. MALCHESKY: I would make a motion to approve the
 6 January financial statements.
 7 MS. LUHTA: Second.
 8 CHAIRMAN GALLOWAY: All those in favor?
 9 (Three aye votes, no nay votes.)
 10 MR. MALCHESKY: I make a motion to adopt Resolution
 11 2018-10, advance to the Road and Bridge Fund.
 12 MS. LUHTA: Second.
 13 CHAIRMAN GALLOWAY: And, Amy, that is \$100,000?
 14 MS. DAWSON: Yeah. I am asking the Board to advance
 15 \$100,000 from the General Fund to the Road and Bridge Fund
 16 until we get our tax dollars so I can continue to meet the
 17 obligations of that fund since that is the only funding source
 18 of that particular fund.
 19 CHAIRMAN GALLOWAY: Okay. All those in favor?
 20 (Three aye votes, no nay votes.)
 21 MR. MALCHESKY: I make a motion to nominate Lane
 22 Sheets to the Financial Advisory Committee for a two-year term
 23 expiring 12/31/19.
 24 MS. LUHTA: Second.
 25 CHAIRMAN GALLOWAY: All those in favor?
 26 (Three aye votes, no nay votes.)
 27 MS. LUHTA: I make a motion to promote Karen Warner
 28 to assistant cemetery sexton at \$75 a month effective
 29 February 1, 2018.
 30 MR. MALCHESKY: Second.

1 CHAIRMAN GALLOWAY: All those in favor?
 2 (Three aye votes, no nay votes.)
 3 MR. MALCHESKY: I make a motion to adopt Service
 4 Department P.O. 11-2018 to Burrier Furnace, in the amount of
 5 \$6,765, for the purchase of a furnace, which they have not had
 6 working for a considerable amount of time this winter.
 7 MS. LUHTA: Second.
 8 CHAIRMAN GALLOWAY: All those in favor?
 9 (Three aye votes, no nay votes.)
 10 MS. DAWSON: I also want to note that we will
 11 probably get some grant money to reimburse us for that as
 12 well. So --
 13 CHAIRMAN GALLOWAY: Is that part of that NOPEC --
 14 MS. DAWSON: Yes.
 15 CHAIRMAN GALLOWAY: Great, fantastic.
 16 I will entertain a motion on P.O. 12-2018 to Medical
 17 Repair Inc. in the amount of \$8,250.
 18 MS. LUHTA: So moved.
 19 MR. MALCHESKY: Second.
 20 CHAIRMAN GALLOWAY: Do you want to talk about what
 21 that's about?
 22 MS. LUHTA: Is it cots?
 23 MR. MALCHESKY: That is --
 24 CHAIRMAN GALLOWAY: Is that the cots?
 25 CHIEF SABO: Yes, it is the continuing cot contract
 26 to service our Stryker ambulance stretchers and stair chairs.
 27 CHAIRMAN GALLOWAY: Got it.
 28 MR. MALCHESKY: That's from Galloway, Ohio.
 29 CHAIRMAN GALLOWAY: All those in favor of voting for
 30 this from Galloway, Ohio?

1 (Three aye votes, no nay votes.)
 2 MR. MALCHESKY: I would make a motion to accept P.O.
 3 13-2018 to Lexipol, in the amount of \$7,211. This is for
 4 policy and procedure consulting that the Fire Department is
 5 going to be doing with regards to their policies and
 6 procedures. They have reviewed it with legal as well and I
 7 would ask for an adoption of that.
 8 MS. LUHTA: Second.
 9 CHAIRMAN GALLOWAY: All those in favor?
 10 (Three aye votes, no nay votes.)
 11 MS. DAWSON: Before you set the new public
 12 hearing --
 13 MS. LUHTA: Yes, we have to vote on --
 14 CHAIRMAN GALLOWAY: Yeah, we have to do that.
 15 MR. MALCHESKY: Public hearing, so we don't have
 16 that on our agenda. So I guess we --
 17 MS. DAWSON: We need to add it to the agenda.
 18 CHAIRMAN GALLOWAY: I wasn't going to miss it,
 19 believe me. I have a stack in front of me. I was getting to
 20 all the other stuff.
 21 MR. MALCHESKY: Well, then do we want to talk about
 22 setting the public hearing for Zoning Amendment Application
 23 1217-1 by Vincent Yurak for Ciatto --
 24 MS. FREEMAN: Ciatto.
 25 MR. MALCHESKY: -- Ciatto Consulting LLC, requesting
 26 a Zoning Map amendment. And our two days we can have it,
 27 February 21st or March 7th.
 28 CHAIRMAN GALLOWAY: March 20 --
 29 MS. LUHTA: February.
 30 CHAIRMAN GALLOWAY: I am sorry.

1 MS. LUHTA: February 21st.
 2 CHAIRMAN GALLOWAY: Let's do it February 21st.
 3 MS. LUHTA: Let's do that.
 4 MR. MALCHESKY: Okay.
 5 CHAIRMAN GALLOWAY: Let's do it February 21.
 6 MS. LUHTA: Okay.
 7 MR. MALCHESKY: Okay.
 8 CHAIRMAN GALLOWAY: Let's get it right in.
 9 MS. DAWSON: What time?
 10 CHAIRMAN GALLOWAY: Do you want to do it at 7:00?
 11 MS. LUHTA: Yeah.
 12 MR. MALCHESKY: 7:00 p.m.
 13 CHAIRMAN GALLOWAY: Okay, there is that. Put that
 14 back in the box.
 15 So that's going to bring us to our zoning amendments
 16 that are in front of us. Amy, do these first, get those out
 17 of my way. Okay.
 18 MR. MALCHESKY: Take a stab at it.
 19 CHAIRMAN GALLOWAY: Yeah, you have it all in front
 20 of you in various formats. There's a nice executive summary.
 21 I assume you also read the recommendations from the County
 22 Planning Commission.
 23 MR. MALCHESKY: I would make a motion to adopt
 24 Amendment Number 1, Section 5, Definitions. Section 5.02, to
 25 add new definitions for terms related to parking, urban
 26 winery, and modifying others.
 27 MS. LUHTA: I'll second that.
 28 CHAIRMAN GALLOWAY: Okay. This is a motion to
 29 approve Amendment Number 1 as recommended by the Zoning
 30 Commission. All those in favor?

(Three aye votes, no nay votes.)

CHAIRMAN GALLOWAY: Do we -- We don't need a roll call, do we?

MR. MALCHESKY: I was going to say --

MR. LUCAS: No.

MR. MALCHESKY: I make a motion to adopt Amendment Number 2, Section 11, Zoning Permits. Revise Section 11.01 to require zoning permits for porches, retaining walls, and change in occupancy of a vacant commercial building. Revise all other sections to include headings and reorganize existing provisions, as that was also approved by the Planning Commission and our Zoning Commission.

MS. LUHTA: Second.

CHAIRMAN GALLOWAY: Okay. Amendment Number 2, approving the recommendation of the Zoning Commission, all those in favor?

(Three aye votes, no nay votes.)

MR. MALCHESKY: I make a motion to adopt Amendment 3, Section 13, Conditional Use Permits. Revise Section 13.06 to eliminate reference to R-5 District. Revise Sections 13.07, 13.08, 13.11, and 13.12 to reference compliance with all parking regulations in Section 29. Revise 13.12, 13.14 to eliminate the need for additional parking lot screening in excess of what is required in Section 38. Revised 13.16 to reference sign and parking regulations. Revise Sections 13.17, 13.25, and 13.26 -- I am sorry -- 13.26 and 13.28 for compliance with the waiting space requirements in Section 29. Revise 13.33 to require adequate parking for outside dining. Revised 13.36 to include urban winery, as that was also approved by the Zoning -- Planning Commission of Lake County

16.24(C)(4) to require landscaping plan to be submitted for any open space area disturbed during construction. Revise Section 16.29 and Section 16.30 and 16.31.

MS. LUHTA: Second.

CHAIRMAN GALLOWAY: Okay. Amendment Number 5 as recommended by the Zoning Commission, all those in favor? (Three aye votes, no nay votes.)

MR. MALCHESKY: I make a motion to adopt Amendment Number 6, Section 22, Commercial and Industrial Districts. Revise Section 22.03 Table of Uses to expand the use districts to allow microbrewery, microdistillery and urban winery and personal services. Remove drive-thru facilities as conditional use in the Capital District. Revise Table 22.04 to clarify that the building heights are maximums and move the footnote reference next to the term to which it applies.

Revise 22.09(A) to require, where feasible, loading docks to be located on the facades that do not face public right-of-ways.

MS. LUHTA: Second.

CHAIRMAN GALLOWAY: Okay. This would be Amendment Number 6 as recommended by the Zoning Commission. All those in favor?

(Three aye votes, no nay votes.)

MS. LUHTA: Do you want me to do the rest?

MR. MALCHESKY: No, I will be more than happy to do them.

MS. LUHTA: Okay.

MR. MALCHESKY: I make a motion to adopt Amendment Number 7, which is Section 29, Off-Street Parking. Revise Section 29.01 to add new purpose statements related to green

and Zoning Commission of Concord Township.

MS. LUHTA: Second.

CHAIRMAN GALLOWAY: Okay. Amendment Number 3, as recommended by the Zoning Commission, all those in favor?

(Three aye votes, no nay votes.)

MR. MALCHESKY: Amendment Number 4, I would move for adoption, Section 15, Residential Districts. Revise Table 15.02-1 to reference off-street parking. Revise Table 15.03-1 to clarify accessory building requirements for lots 2 acres and greater. Revise Section 15.03(I) to require all residential districts to comply with the parking regulations in Section 29. Modify Section 15.05 to clarify that minimum "residential" floor area are set forth in Table 15.05-1, and off-street parking regulated in Section 29. Revise 15.04(C)(e) to require dwellings be set back 36 feet from the curb of a private street in the R-3 District.

MS. LUHTA: Second.

CHAIRMAN GALLOWAY: Okay. Amendment Number 4 as recommended by the Zoning Commission, all those in favor?

(Three aye votes, no nay votes.)

MR. MALCHESKY: I make a motion to approve Amendment Number 5, Section 16, R-2 PUD and RCD. Revise Section 16.07(C) to reference Section 13 for a conditional use permit for a commercial center, and site plan review. Revise Section 16.09 to require a commercial center in a PUD to meet the requirements of Section 29. Revise 16.12 Township Preliminary Plan, 16.13 Approval, and 16.14 Final Development Plan. Revise zoning permit process in Section 16.15 to reference Section 11. Clarify Section 16.16 for minor or major modifications to an approved development plan. Revise

infrastructure and reducing impervious surfaces in parking areas. Revise Section 29.02 Applicability, 29.03 General Standards, 29.04 Off-Street Parking Requirements, 29.05 Alternative Parking Options, 29.06 Parking Lot Design Standards, 29.07 Access Drive Regulations, 29.08 Bicycle Parking, 29.09 Waiting Space Requirements, and 29.10 Parking in Residential Districts.

MS. LUHTA: Second.

CHAIRMAN GALLOWAY: Okay. We have Amendment Number 7 as recommended by the Zoning Resolution. All those in favor?

(Three aye votes, no nay votes.)

MR. MALCHESKY: I make a motion to adopt Amendment Number 8, Section 34, Fence. Revise 34.02 to require all properties to obtain a zoning permit for construction of fences.

MS. LUHTA: Second.

CHAIRMAN GALLOWAY: Amendment Number 8 as recommended by the Zoning Commission, all those in favor? (Three aye votes, no nay votes.)

MR. MALCHESKY: I make a motion to adopt Amendment Number 9, Section 36, Site Plan Review. Revise Section 36.01 to include purpose and intent and renumber the subsequent sections. Revise 36.02 to require all site plans to be reviewed by the Zoning Commission. Revise Section 36.04, required plan items to be submitted. New Section 36.08, Significant of an Approved Plan. Revise 36.10 to add new standards for minor and major modifications.

MS. LUHTA: Second.

CHAIRMAN GALLOWAY: Okay. This is Amendment Number

1 9 as approved or as recommended by the Zoning Commission. All
 2 those in favor?
 3 (Three aye votes, no nay votes.)
 4 MR. MALCHESKY: I make a motion to adopt Amendment
 5 10, Section 37, Design Standards. Revise Section 37.03(A) to
 6 specify accessory uses subject to Design Review. Revise 37.04
 7 to include "or as otherwise required in this Resolution."
 8 Revise 37.05(K), Lighting, to renumber the section as 37.06.
 9 MS. LUHTA: Second.
 10 CHAIRMAN GALLOWAY: Okay. Amendment Number 10 as
 11 recommended by the Zoning Commission, all those in favor?
 12 (Three aye votes, no nay votes.)
 13 MR. MALCHESKY: I make a motion to adopt Amendment
 14 Number 11, Section 38, Landscaping and Screening. Revise
 15 Section 38.02, 38.03, 38.05, 38.06(A), 38.07, 38.08, 38.10,
 16 and 38.12 as modified.
 17 MS. LUHTA: Second.
 18 CHAIRMAN GALLOWAY: Okay. Amendment Number 11 as
 19 recommended by the Zoning Commission, all those in favor?
 20 (Three aye votes, no nay votes.)
 21 CHAIRMAN GALLOWAY: I want to thank staff, legal
 22 and, of course, our Zoning Commission for all the hours, time,
 23 diligence and hard work that went into all those
 24 modifications.
 25 MR. MALCHESKY: That was significant.
 26 CHAIRMAN GALLOWAY: Very much so. As you know,
 27 zoning is a living, breathing document, as you have to
 28 constantly be tweeting or, at least, looking at.
 29 MR. LUCAS: I can't put it town.
 30 CHAIRMAN GALLOWAY: Future meetings and

1 on that.
 2 MS. DAWSON: How many?
 3 CHAIRMAN GALLOWAY: Well, the potential grocers, the
 4 property owners, the Port Authority, staff, myself, you know,
 5 five or six people minimum. So we've just got to get a
 6 schedule worked right. We are, as you know, very close. And
 7 Heather was nice enough to, based on our meeting with them,
 8 she was nice enough to figure out the sign situation that was
 9 required and the restrictions.
 10 MR. MALCHESKY: Sure.
 11 CHAIRMAN GALLOWAY: So we will continue to work
 12 through that and, hopefully, by March we will have something
 13 exciting to announce.
 14 MS. LUHTA: Good.
 15 CHAIRMAN GALLOWAY: Have you got anything else,
 16 Michael?
 17 MR. LUCAS: Nothing. I enjoyed listening to those
 18 motions. Can't get enough of zoning. It's not just a two
 19 syllable word to me.
 20 MR. MALCHESKY: As Connie says, the devil's always
 21 in the details.
 22 MR. LUCAS: Yeah. Good times, eh?
 23 MR. MALCHESKY: Waist deep in them.
 24 CHAIRMAN GALLOWAY: That's right. If nobody has
 25 anything, I will go ahead and close the meeting.
 26 (Whereupon, the meeting was adjourned at
 27 8:04 p.m.)
 28
 29
 30

1 announcements, Mrs. Dawson, would you care to handle that?
 2 MS. DAWSON: Okay. On Friday, the 9th of February,
 3 8:00 a.m., there will be a JEDD meeting here at Town Hall;
 4 Wednesday, February 14th, at 7:00 p.m., BZA meeting
 5 here at Town Hall;
 6 Monday, the 19th of February we'll be closed in
 7 observance of President's Day;
 8 On Wednesday, February 21st, at 6:00 p.m. -- I am
 9 sorry -- 6:30 p.m. -- Do you want to do 6:30 Trustee office
 10 hours in the Conference Room, 7:00 p.m. will be the public
 11 hearing, and 7:30 p.m., or immediately following, will be
 12 Trustee office hours -- or Trustee meeting?
 13 CHAIRMAN GALLOWAY: If it goes past 7:30, it will
 14 then --
 15 MR. MALCHESKY: I am going to be meeting with our
 16 engineer and Rita McMahon and legal with regards to some
 17 tweaks that we've been contemplating working on doing over by
 18 Redhawk, which is our Capital, Capital Parkway Project, as
 19 well as on Capital Parkway and Crile, that corner as well. So
 20 it was important to have that in the minutes and notes.
 21 MS. DAWSON: I got it.
 22 CHAIRMAN GALLOWAY: And I am trying to have a --
 23 MS. DAWSON: At 10:00 p.m. on Friday?
 24 MR. LUCAS: A.m.
 25 MS. DAWSON: I am sorry, a.m.
 26 CHAIRMAN GALLOWAY: I am trying to have a meeting
 27 with the Port Authority as it relates to our potential future
 28 grocer next week sometime.
 29 MR. MALCHESKY: Okay.
 30 CHAIRMAN GALLOWAY: We were working on herding cats

1 STATE OF OHIO)
 2) CERTIFICATE
 3 COUNTY OF CUYAHOGA)
 4 I, Melinda A. Melton, Registered Professional
 5 Reporter, a notary public within and for the State of Ohio,
 6 duly commissioned and qualified, do hereby certify that, to
 7 the best of my ability, the foregoing proceeding was
 8 reduced by me to stenotype shorthand, subsequently
 9 transcribed into typewritten manuscript; and that the
 10 foregoing is a true and accurate transcript of said
 11 proceedings so taken as aforesaid.

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

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

1 IN WITNESS WHEREOF, I have hereunto set my hand
 2 and affixed my seal of office this 9th day of February
 3 2018.

1 *Melinda A. Melton*
 2 Melinda A. Melton
 3 Registered Professional Reporter
 4 Notary Public within and for the
 5 State of Ohio

1 My Commission Expires
 2 February 4, 2023



A				
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