

CONCORD TOWNSHIP ZONING COMMISSION  
LAKE COUNTY, OHIO  
REGULAR MEETING

Concord Town Hall  
7229 Ravenna Road  
Concord, Ohio 44077

January 8, 2019  
7:00 p.m.

TRANSCRIPT OF PROCEEDINGS

Zoning Commission members present:

Morgan McIntosh, Chairman  
Richard Peterson, Vice Chairman  
Frank Schindler, Member  
Susan Germovsek, Member  
Andrew Lingenfelter, Member

Also Present:

Mike Germano, Esq., Legal Counsel  
Heather Freeman, Planning & Zoning Director/Zoning  
Inspector  
Marty Pitkin, Assistant Zoning Inspector

**Melton Reporting**  
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1 7:00 p.m.

2 CHAIRMAN McINTOSH: Good evening. I would like to  
3 call to order the Concord Township Zoning Commission meeting  
4 for Tuesday, January 8, 2019. It's not a very full meeting  
5 agenda this evening. We do have a public hearing. That's our  
6 first agenda item this evening.

7 And the public hearing is for Zoning Map Amendment  
8 and Preliminary Plan Application for 1118-5, from Sommers Real  
9 Estate Group LLC, for a proposed Residential Conservation  
10 Development, R-2 RCD District, on a portion of land currently  
11 known as Permanent Parcel 08-A-002-0-00-008-0, whose address  
12 is 12395 Winchell Road. It is further described in Exhibit A,  
13 being 24.6198 acres of land. The site is located off Winchell  
14 Road, south of Concord-Hambden Road, north of Meredith Lane,  
15 and adjacent to Concord Ridge Subdivision.

16 Heather, do you have a quick overview of the  
17 property you want to share with us?

18 MS. FREEMAN: I thought I would just provide a  
19 couple comments for the benefit of everyone here in the  
20 audience about the rezoning process and just a little bit of  
21 background, location on where the site is located, before we  
22 turn it over to the applicant.

23 So this Board tonight, this is the public hearing  
24 for the proposed Zoning Map amendment and preliminary plan for  
25 a proposed RCD. The Zoning Commission, at the conclusion of  
26 the public hearing, after everyone has gotten their  
27 opportunity to speak, will vote on it and make a  
28 recommendation to the Township Trustees, who then will  
29 schedule their own separate public hearing on the matter which  
30 will have to take place within 30 days. And then, at the

1 conclusion of the Trustees' public hearing, then they make the  
2 final decision on whether or not the application should be  
3 approved or denied as far as the rezone.

4 Then if it should be approved, it will be effective  
5 30 days after. And, at that point, the developer can move  
6 forward and submit plans to the Lake County Planning  
7 Commission for the formal subdivision process.

8 That's just kind of background of how that works.

9 THE VIDEOGRAPHER: Hold up here. This system  
10 crashed, for some reason. Did you want to keep on going or --

11 CHAIRMAN McINTOSH: So we're not live?

12 THE VIDEOGRAPHER: We're not live.

13 MS. FREEMAN: Oh.

14 THE VIDEOGRAPHER: Or it's not recording. We are  
15 live.

16 MS. FREEMAN: What do you think?

17 MR. SCHINDLER: She's recording.

18 CHAIRMAN McINTOSH: Yeah, we have the minutes and  
19 we're live. Why don't you just do what you can and we will  
20 kind of take our --

21 THE VIDEOGRAPHER: Okay. Yeah, sorry.

22 CHAIRMAN McINTOSH: If you get really like you're  
23 not, then just let me know, but we will keep going.

24 THE VIDEOGRAPHER: All right.

25 MS. FREEMAN: Okay. Just to show, briefly, where  
26 the site is at, I know that Morgan indicated where it is, but  
27 it's approximately 24 acres outlined in red there off of  
28 Winchell Road that abuts the Concord Ridge Subdivision. The  
29 existing zoning is R-4, in the yellow. The land across the  
30 street on Winchell Road is also zoned R-4. The Concord Ridge

1 Subdivision is also an RCD, which is an R-2, which abuts the  
2 Summerwood Development, which is another form of an RCD, which  
3 is a PUD.

4 That's all the comments that I have and, at this  
5 point, if the applicant wants to come forward.

6 CHAIRMAN McINTOSH: Mr. Sommers.

7 MR. SOMMERS: Are you going to have this on the  
8 computer?

9 MS. FREEMAN: Yeah.

10 CHAIRMAN McINTOSH: So put this facing the audience?

11 MS. FREEMAN: It is up to you.

12 CHAIRMAN McINTOSH: Yeah, that's a good idea if you  
13 can do it that way.

14 MS. FREEMAN: Face the audience?

15 MR. SOMMERS: Since it will also be on the screen.

16 Thank you. As Heather said, this is 24.16 acres on  
17 Winchell Road. The land, again, is zoned currently one acre  
18 lots, R-4 category. We've done the yield plan as per the  
19 requirements of the code and that indicates that we can do 22  
20 one acre lots on this property under the current zoning.

21 The proposed rezoning, Residential Conservation  
22 District, RCD, would result in 24 one-half acre building lots.  
23 The proposed plan has 10.47 acres of green open space that  
24 will be protected in perpetuity from any building, any  
25 structures, anything. The only thing we would do initially  
26 would be to do some landscaping to get the former farm fields  
27 to what we call open meadows, emerging meadows. We will plant  
28 some trees but we will, basically, let nature take its course  
29 to go from farm fields to meadows, that type of development.  
30 There will not be any, again, no buildings, very strict

1 things.

2           The proposed development under the reservation --  
3 RCD has been designed using the following design criteria. We  
4 are trying to maintain and conserve the natural resources,  
5 including the fringe woods, wetlands, streams, riparian  
6 corridors and natural drainage areas. We established buffers  
7 to adjacent properties using dedicated green space buffers.  
8 As you can see, the land to the south, the land to the north,  
9 and the land to the east is all buffers, creating a green  
10 space between existing homes on all three sides.

11           You're also protecting the green space from post-  
12 development stormwater impacts and the other areas by using  
13 these to filter out water, control water.

14           As designed, this plan meets all of the RCD  
15 requirements today. Again, the site consists today of farm  
16 fields with a small wetland and stream on the northwest  
17 corner, up in the top left. Soil conditions have been  
18 checked. It will support the proposed development.

19           We were also asked to provide some information about  
20 the proposed development. The homes will be for sale from  
21 approximately \$350,000 to \$500,000. That will be similar to  
22 the adjacent 74 lots in Concord Ridge. The development -- The  
23 homes will be somewhere between 2,300 and 3,200 square feet.

24           Based on the current population trends for Lake  
25 County metropolitan area, there will be 3.4 residents per  
26 dwelling. This would result in an increase of 81 residents  
27 for Concord Township.

28           We expect to sell, if approved, we would expect to  
29 build approximately 18 houses the first year and six homes in  
30 the second year based on historical data from the other

1 subdivision.

2 The density of the proposed development is 1.07  
3 dwelling units per acre. Again, no increase in density from  
4 the one acre zoning.

5 The proposed development is served by the Lake  
6 County Sanitary Engineer. There is sewer on an adjacent  
7 street. It will be coming through an easement between Sublot  
8 20 and 21 is where the sewer will come through. And the  
9 Painesville water system is on Winchell and also on Lilly  
10 Lane, so we will have a loop water line, which is good for  
11 fire protection. It also keeps people in water. If you have  
12 a break in one spot, you isolate and people don't lose their  
13 water.

14 Storm system will be designed to meet all Lake  
15 County Engineer's standards, as well as obtain the Ohio EPA  
16 pollution and stormwater permit. Again, we have given careful  
17 consideration to the wet areas now and have designed around  
18 those.

19 I'll talk a little bit about the deed restriction  
20 and the protective covenants, not only for the green space but  
21 the for homes in the area. The proposed development will,  
22 again, have buffers on the north, east and south property  
23 lines. We will be using a third-party intermediary to monitor  
24 these wet spots or -- I am sorry -- green spaces, the creeks,  
25 no impacts. We use a third party on those because the  
26 homeowners' associations tend to forget about them or not  
27 enforce the rules.

28 We have developed a set of deed restrictions for the  
29 other subdivision that were approved by Concord Township and  
30 the Trustees, and I think this Board also reviewed them.

1 We're proposing to use the exact same deed restrictions that  
2 have worked very well.

3           Again, we will be checking, the third party will be  
4 checking the green spaces on an annual basis. There will be a  
5 fee paid for that out of the HOA. The green spaces will also  
6 be marked with these fiberglass markers so everybody knows  
7 where they are and it prevents encroachment and just  
8 identifies these areas from encroachment.

9           Again, we will have a homeowners' association.

10           Real quickly, basics, we'll define the square foot  
11 requirements of the homes. The exterior requirements will  
12 require 25 percent stone or natural materials. It also  
13 defines the side yards. And size of outbuildings, we limit to  
14 12 by 16 or 168 square feet. Storage of boats, RVs, large  
15 trucks are prohibited. We do have requirements for  
16 installation of landscaping within six months of move-in,  
17 somewhat weather dependent. All driveways in the subdivision  
18 will be hard surface driveways.

19           Entrance, we'll have an entranceway on Winchell  
20 Road, as well as a small one where it transitions in from the  
21 current Concord Ridge Subdivision. We're proposing a sign and  
22 a planting bed in that area.

23           This development will be built in one phase, all at  
24 once.

25           We had a single dedicated road connecting existing  
26 Lilly Lane and ends in a stub at this end. Lake County  
27 Planning Commission had required, for traffic control and not  
28 overloading the other three streets, based on the number of  
29 houses, they required the road be connected to Winchell.  
30 Originally, it was proposed as a cul-de-sac. The Planning

1 Commission is requiring this to be a through road.

2 Subject to all approvals, we would expect to  
3 complete this project sometime in June or July of this year.

4 That's a basic outline of the project, and I would  
5 be glad to answer any questions now or after people come up.

6 CHAIRMAN McINTOSH: I can take questions right now  
7 or --

8 MR. PETERSON: I have one question. All lots will  
9 be served by sanitary sewers; that is correct?

10 MR. SOMMERS: All lots in this subdivision.

11 MR. PETERSON: Okay.

12 MR. SOMMERS: Now, there are four outlots, an  
13 existing, Lilly's existing house and the three other outlets  
14 on Winchell. We're not talking about those tonight. They're  
15 not part of the subdivision.

16 MR. PETERSON: Not part of the subdivision.

17 MR. SOMMERS: Just so you know, those are not in  
18 what's called a two-way district, which is sanitary sewer  
19 district that's served, so those lots will be on septic  
20 systems.

21 MR. PETERSON: Okay.

22 MR. SOMMERS: But every lot in this, 24 lots, is  
23 served by sanitary sewer.

24 MR. PETERSON: Okay. Thank you.

25 As for the wetland area, the riparian setback, any  
26 issues there?

27 MR. SOMMERS: No, because we've, again, designed  
28 around it. There is the top left corner and there is a stream  
29 that runs down a little ways and then it goes off into the  
30 green space behind to Concord Ridge.

1 MS. GERMOVSEK: So the maintenance of the green  
2 space will be by the homeowners or a third party?

3 MR. SOMMERS: Well, the third party does the  
4 inspection and they -- sometimes people have a tendency to put  
5 their sheds or their swing sets in these areas. So that third  
6 party comes out once a year, and if they see something in it,  
7 then they notify the homeowner.

8 But there really, other than maybe some stream  
9 maintenance if it got blocked by downed trees or something,  
10 that should be the only maintenance in these areas. The  
11 intention is to leave it natural, more a -- in this case, it's  
12 a farm field. And Concord Ridge, we've had to cut down a few  
13 trees that threatened people's houses. But it's basically a  
14 maintenance-free, hands-off area, true green space.

15 CHAIRMAN McINTOSH: Any other questions from the  
16 Board?

17 MR. LINGENFELTER: If you did a one-acre the way  
18 it's zoned, currently zoned, if you did a one-acre lot  
19 development, you'd have, what, two lots less than what you  
20 have now?

21 MR. SOMMERS: Correct.

22 MR. LINGENFELTER: And then, if you did that, would  
23 you still plan on connecting sewer and water or would you go  
24 well and septic?

25 MR. SOMMERS: No, we would definitely do sewer and  
26 water.

27 MR. LINGENFELTER: Okay.

28 MR. SOMMERS: I don't -- Even on an acre,  
29 especially, we do water for sure because it's tough to get a  
30 septic and a well on one acre. So that's, that's why we put

1 the water line down Winchell and 608. If you remember, we  
2 connected from the existing Stanford Springs water line and  
3 went down Winchell and up 608 to meet the existing water line.

4 MR. LINGENFELTER: Right.

5 MR. SOMMERS: The water quality up there, there's  
6 been some issues, so there would definitely be water.

7 I would note that the code does allow for what they  
8 call a density bonus, and that's why we have 24 lots versus  
9 the 22 under the code. By setting aside this 42 percent green  
10 space, there is a density bonus of two lots.

11 MR. LINGENFELTER: Right.

12 MR. SOMMERS: That's been calculated in. It's on  
13 the top right-hand corner.

14 MR. PETERSON: Do you have an estimate of what the  
15 homeowner association fee would be required in order to pay  
16 that third party?

17 MR. SOMMERS: In Concord Ridge, I believe we have a  
18 \$200 capital improvement, so the capital fund, so when someone  
19 moves in, they pay \$200. And then Concord Ridge right now,  
20 we're at \$100 a lot per year.

21 MR. PETERSON: Okay. Thank you.

22 MR. SOMMERS: So it's fairly minimal. It covers the  
23 insurance. There are, even though it's a green space, there  
24 are property taxes on the green space.

25 CHAIRMAN McINTOSH: Any other questions from the  
26 Board?

27 Okay. If there is no other questions from the  
28 Board, before I open the meeting up to the public comment, I  
29 am going to read into the record a letter we received from  
30 Lake County Planning Commission, dated December 19, 2018,

1 addressed to Ms. Heather Freeman, Zoning Inspector for Concord  
2 Township.

3 "Dear Ms. Freeman: The Lake County Planning  
4 Commission took under consideration the above-mentioned zoning  
5 district change at their regularly scheduled meeting on  
6 Tuesday, December 18th. The Lake County Planning Commission  
7 recommended that the district be amended and approved with no  
8 additional stipulations.

9 "We are available to help with any aspect of this  
10 recommendation. If you have questions, please feel free to  
11 call Dave Radachy, Director, or Joseph Rose, Planner 1."

12 So, Rick, if you wouldn't --

13 MR. SOMMERS: I am sorry.

14 CHAIRMAN McINTOSH: Maybe just while the public  
15 comment, can we take that down so it's not obstructing our  
16 view. Thank you.

17 Okay. So I will open up the hearing for those who  
18 would like to come forward and speak. So we will start with  
19 the first row on my left, your right, if anyone would like to  
20 come up. When you do come up, if you would please state your  
21 name and address for the record and then your comments.

22 MS. SKOK: That's not fair, Morgan. You could have  
23 picked that side.

24 Okay. Good evening, everybody. My name is Gretchen  
25 Skok DiSanto. I am here speaking on behalf of myself and my  
26 mother, Linda Skok. We live at 12550 Concord-Hambden Road.  
27 Our family owns property which is, basically, across the  
28 street from Winchell from the four lots that are not part of  
29 the subdivision.

30 So we are in support of this development, first and

1 foremost, because of Mr. -- where is he -- Mr. Sommers'  
2 reputation. We've known him for a number of years. We  
3 believe him to be a reputable developer. In all of our  
4 dealings with him, he's been very professional and honest, so  
5 we appreciate that.

6 Secondly, we are in agreement that this zoning  
7 protects green space. If it were developed in another way,  
8 the green space may not be protected, if that makes sense.  
9 Okay? So I think this yields us greater protection than the  
10 other development method.

11 And, lastly, also we believe it's consistent with  
12 the adjacent property that's been developed under the name --  
13 what was it -- Concord Ridge. So from a planning perspective,  
14 I think that makes sense.

15 I am not a fan of the Planning Commission's proposal  
16 or request that it not be cul-de-sacked but I am assuming they  
17 have Fire Department regulations with regards to that, so  
18 that's fine.

19 The main reason, in addition to supporting  
20 Mr. Sommers, for being here this evening is we do want to put  
21 on record our concern regarding stormwater management. I have  
22 spoken to Mr. Sommers. I have spoken with Heather. I  
23 understand that further down the road, should this be  
24 approved, that that will be handled by the county and they  
25 will be looking at it.

26 I did follow up -- Heather suggested I talk to  
27 Mr. Kraska because there is, across from that upper right,  
28 that one parcel to the far north there, there is a culvert  
29 that goes under the street that then dumps a lot of water onto  
30 our property. So we, obviously, don't want to see any more

1 water dumped onto our property.

2 Mr. Kraska wasn't able to answer the questions I had  
3 regarding the current water flow there, so I would like to  
4 hear some feedback. He said he is going to talk to you,  
5 Heather. I'd like to hear some additional comments from the  
6 township on that. I am not expecting any of you to address  
7 that but I just wanted to put on record that we are concerned  
8 about stormwater.

9 Have I gotten everything, Mom?

10 Thank you very much.

11 CHAIRMAN McINTOSH: Second row? Third row? Fourth?  
12 Okay. Moving to the right, first row? Second? Third?  
13 Fourth or fifth row?

14 MR. GRAY: My name is Michael Gray. I live at  
15 12313 Meredith Lane. I am not opposed. I knew one day it was  
16 going to come that you guys would be building on this farm. I  
17 knew about that.

18 As far as area, I live -- As you see, Meredith would  
19 be down here on the very south, the bottom portion of this.  
20 What are they planning to do as far as, you know -- I moved to  
21 Concord because it's a township and I wanted privacy. It used  
22 to be three acres, then it was an acre and a half, now they're  
23 building all these homes on half acre lots. If I wanted to  
24 move to a house in Summerwood or, you know, Concord Ridge, I  
25 would have bought a house in Summerwood or Concord Ridge. You  
26 know, I moved out here for privacy, for that reason.

27 So this green space is a very small area compared to  
28 this larger area where there's already homes built right  
29 there. How much area are we talking here as far as, you know,  
30 depth, as far as feet? I mean, do you have a scale on that as

1 far as, you know -- I can tell you where my property line is  
2 from the street on that map.

3 MR. SOMMERS: So you're on --

4 MR. GRAY: I am towards the bottom. I am the third  
5 house up from the bottom. So I'd be approximately right here.  
6 They're calling that open space because, you know, this is an  
7 open field right now.

8 MR. SOMMERS: Correct, farm field.

9 MR. GRAY: Yes, sir.

10 MR. SOMMERS: I do not have -- This is actually not  
11 scaled but the total area is 2.7 acres. Okay?

12 MR. GRAY: Okay.

13 MR. SOMMERS: This is 200 feet here.

14 MR. GRAY: Two hundred feet. So, roughly, over here  
15 is going to be about 110?

16 MR. SOMMERS: A hundred, a hundred ten. Again, it  
17 can't be built on. You know, you guys are one acre lots.

18 MR. GRAY: I am an acre and a half and my neighbors  
19 are like six and four. Well, that's across the street.

20 MR. SOMMERS: Okay.

21 MR. GRAY: We have the smallest lot on that side.

22 MR. SOMMERS: You are actually on Winchell?

23 MR. GRAY: I'm on Meredith.

24 MR. SOMMERS: Okay. I thought those were all one  
25 acre lots. In any case, it's approximately 100 to 110 feet.

26 MR. GRAY: Yeah.

27 MR. SOMMERS: If we did the development as  
28 traditional development, somebody would own all the way up to  
29 your property line and they would have the right to do  
30 whatever they want with the property.

1 MR. GRAY: Yeah, they could. I mean, I have a big  
2 hill there, back there, and they put it the whole way down. I  
3 know, I believe that might have been from runoff from the  
4 farm, possibly, is why they put that in.

5 MR. SOMMERS: No. Actually, that was topsoil from  
6 the subdivision that they had extra, so they made a mound out  
7 of it.

8 MR. GRAY: Made a mound out of it. I figured that  
9 may have been for runoff, whatever it may have been.

10 MR. SOMMERS: Again, we're going to let this grow  
11 back to nature. We're going to plant trees, so that should,  
12 behind your buffer, should additionally protect your  
13 closeness.

14 MR. GRAY: Well, I can see. I can already see. I  
15 can see. I can watch people walking around their houses in  
16 these homes up here already, as it is. And I will tell you  
17 what. These people here aren't going to be happy with me  
18 because I walk around my house in my underwear and I have a  
19 big breakfast room with windows wide open, so it's not going  
20 to change, you know. It is what it is, you know. I can tell  
21 you that.

22 So I was just wondering if you guys were going to  
23 put any kind of trees or do any kind of plantings to, kind of,  
24 accommodate this.

25 I can tell you, everybody on this side of the  
26 street, on my side of the street on Meredith is not happy  
27 about this, of course not. You know, we had privacy, now we  
28 don't.

29 MR. SOMMERS: So, again, you know, our intention is  
30 not to just plant evergreens but trees.

1 MR. GRAY: Okay.

2 MR. SOMMERS: But trees, kind of, here and not in a  
3 linear type of development.

4 CHAIRMAN McINTOSH: I was just going to say, let's  
5 try to get the conversation sort of back towards the Board a  
6 little bit.

7 MR. GRAY: Sorry about that. Yes, sir. So, I mean,  
8 my recommendation would, at least, be to put, you know, some  
9 sort of screening.

10 CHAIRMAN McINTOSH: So I think that's the  
11 conversation you can probably have with Mr. Sommers sort of  
12 offline.

13 MR. GRAY: Okay.

14 CHAIRMAN McINTOSH: Just as a general point of order  
15 with respect to these, this is a rezone. So as he was saying,  
16 it's already zoned to build houses, so houses can be built  
17 there. There will be, as this progresses, if it progresses --

18 MR. GRAY: Okay.

19 CHAIRMAN McINTOSH: -- there will be, there will be  
20 site plan review, there will be other things that happen.  
21 This isn't the cast in stone, per se, how things are --

22 MR. GRAY: Okay. Because there already is water  
23 problems on Meredith as far as the county has been out there.

24 CHAIRMAN McINTOSH: This is just, really, this is  
25 just a meeting to discuss and for us to vote on whether we  
26 grant the rezone, so that's the additional homes. And if this  
27 goes to plan, there is a lot of hurdles that need to be --  
28 regulations that need to be met. There's water regulations,  
29 all of those things that have to be done. So we're not doing  
30 that tonight, that comes later.

1 MR. GRAY: Yeah, further on.

2 CHAIRMAN McINTOSH: And no matter what happens with  
3 that property, at some point, that same process would occur.

4 MR. GRAY: I understand.

5 CHAIRMAN McINTOSH: The conversation tonight is  
6 really, are we granting the RCD zoning to allow to put 24  
7 houses there or is it developed under 22.

8 MR. GRAY: Now, the original plan though wouldn't  
9 have had as much green space, correct?

10 CHAIRMAN McINTOSH: Correct.

11 MR. LINGENFELTER: No green space.

12 MR. GRAY: No green space.

13 MR. LINGENFELTER: Zero.

14 CHAIRMAN McINTOSH: As Mr. Sommers said, whatever  
15 the -- they make the house, they put the pins in, whatever the  
16 property owners do with the land is -- within, you know,  
17 zoning regulations and the laws, so forth, but they can do,  
18 they can do, pretty much, whatever they want.

19 This preserves some --

20 MR. GRAY: Okay. That green space is preserved,  
21 correct?

22 CHAIRMAN McINTOSH: It is not to be touched.

23 MR. GRAY: not to be touched. All right. That's  
24 all I needed to know.

25 MR. SCHINDLER: You must understand that going with  
26 conservation zoning, you have more control over the  
27 development than if he was to go in there and build like he  
28 currently can do. Then you wouldn't have any privacy at all.

29 MR. GRAY: Well, yeah. Conservation usually means  
30 they put more homes in a small area or they cluster and then

1 they add more green space around it or whatever, yeah. I have  
2 seen very limited green space where the people that probably  
3 care the most -- I mean, those people up there in those  
4 developments up there on that street really do not really care  
5 about green space because they're already packed in there like  
6 sardines as it is, you know, whereas, for us, we moved out  
7 there for privacy, you know.

8 MR. SCHINDLER: But you can see he's already  
9 mentioned that in his presentation, that they were going to do  
10 more planting. Their intent is, if anything, to give you more  
11 nature.

12 MR. GRAY: More nature. And I am, actually, I am  
13 more with this plan to have more nature, you know. That's --

14 MR. SCHINDLER: So I take it you're approving this?

15 MR. GRAY: Over the other one.

16 MR. SCHINDLER: Over the other one.

17 MR. GRAY: Yes.

18 MR. SCHINDLER: Okay. Thank you.

19 CHAIRMAN McINTOSH: Okay. Anybody else have any --  
20 Okay. If there is no other input, then I will take  
21 a motion to close the public hearing.

22 MR. PETERSON: Mr. Chairman, I make a motion to  
23 close the public hearing.

24 CHAIRMAN McINTOSH: Second?

25 MR. LINGENFELTER: Second.

26 CHAIRMAN McINTOSH: Okay. That motion carries. The  
27 public hearing is closed.

28 Is there any discussion or further conversation on  
29 the Commission or are there additional questions for  
30 Mr. Sommers?

1 MR. LINGENFELTER: Pretty straightforward.

2 CHAIRMAN McINTOSH: Okay. Heather, would you please  
3 call the vote or -- I am sorry -- Do I have a motion to  
4 approve --

5 MS. FREEMAN: Recommending approval.

6 CHAIRMAN McINTOSH: -- the recommended rezone?

7 MR. LINGENFELTER: Mr. Chairman, I make a motion  
8 that we approve the Zoning Map Amendment and Preliminary Plan  
9 Application Number 1118-5 from Sommers Real Estate for the  
10 proposed Residential Conservation Development on the portion  
11 of land currently known as Permanent Parcel  
12 08-A-002-0-00-008-0, whose address is 12395 Winchell Road, as  
13 further described in Exhibit A and being 24.6198 acres of  
14 land.

15 MR. PETERSON: I will second that motion.

16 CHAIRMAN McINTOSH: And, Heather, would you please  
17 call the roll?

18 MS. FREEMAN: Ms. Germovsek?

19 MS. GERMOVSEK: Yes.

20 MS. FREEMAN: Mr. Peterson?

21 MR. PETERSON: Yes.

22 MS. FREEMAN: Mr. Lingenfelter?

23 MR. LINGENFELTER: Yes.

24 MS. FREEMAN: Mr. Schindler?

25 MR. SCHINDLER: Yes.

26 MS. FREEMAN: Mr. McIntosh?

27 CHAIRMAN McINTOSH: Yes.

28 Okay. Moving on, the second agenda item this  
29 evening is the approval of the minutes from the December 4,  
30 2018, meeting.

1 MR. LINGENFELTER: Mr. Chairman, I make a motion  
2 that we accept the minutes of the December 4, 2018, meeting as  
3 presented.

4 CHAIRMAN McINTOSH: Second?

5 MR. PETERSON: Second that motion.

6 CHAIRMAN McINTOSH: All members in favor? Opposed?  
7 (Five aye votes, no nay votes.)

8 CHAIRMAN McINTOSH: The motion carries. Minutes are  
9 approved.

10 Correspondence from Zoning Commission members.  
11 Mr. Peterson?

12 MR. PETERSON: Nothing.

13 CHAIRMAN McINTOSH: Ms. Germovsek?

14 MS. GERMOVSEK: Nothing.

15 CHAIRMAN McINTOSH: Mr. Lingenfelter?

16 MR. LINGENFELTER: Not a thing.

17 CHAIRMAN McINTOSH: Mr. Schindler?

18 MR. LINGENFELTER: Nothing, sir.

19 CHAIRMAN McINTOSH: I have no report either.

20 Is there anybody from the audience that wishes to  
21 comment or participate, ask any questions of the Zoning  
22 Commission at this time? This is our public audience  
23 participation portion of the standard meeting.

24 MR. LINGENFELTER: I am taking, with the mass  
25 exodus, nobody is interested.

26 CHAIRMAN McINTOSH: All the people just trotted out.  
27 I am going to assume we've got that.

28 The next meeting is February 5, 2019. And with  
29 that, we will adjourn the meeting.

30 (Whereupon, the meeting was adjourned at 7:29 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 14th day of January 2019.

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Melinda A. Melton  
Registered Professional Reporter  
  
Notary Public within and for the  
State of Ohio  
  
My Commission Expires:  
February 4, 2023