

CONCORD TOWNSHIP ZONING COMMISSION
LAKE COUNTY, OHIO
REGULAR MEETING

Concord Town Hall
7229 Ravenna Road
Concord, Ohio 44077

April 2, 2019
7:00 p.m.

TRANSCRIPT OF PROCEEDINGS

Zoning Commission members present:

Morgan McIntosh, Chairman
Richard Peterson, Vice Chairman
Susan Germovsek, Member
Andrew Lingenfelter, Member
Hiram Reppert, Alternate Member

Also Present:

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

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

1 7:07 p.m.

2 CHAIRMAN McINTOSH: Good evening. I call to order
3 the Concord Township Zoning Commission meeting for Tuesday,
4 April 2, 2019. A pretty simple agenda this evening. I'm
5 going to make a quick adjustment. Let's just jump into the
6 work session. We will move our election of chair and vice
7 chair to the end of our meeting when we do our correspondence
8 and minutes and all that good stuff.

9 So, Heather, I know we've been updated or briefed on
10 all of the changes. Is there anything in particular we need
11 to discuss as far as the -- Do you have any quick summaries on
12 this? I mean, it's pretty straight up with what we've been
13 talking about the last two or three months as we go over this.

14 MS. FREEMAN: Right. I can just highlight a couple
15 things for your purpose based on what we looked at last month
16 and some of the small changes here.

17 CHAIRMAN McINTOSH: Right.

18 MS. FREEMAN: I am not going to go into it too deep,
19 too in-depth, but based -- and I kind of summarized the
20 changes in my email that I sent you on March 21st -- but we
21 took out a few of the the, a few of the proposed amendments
22 that we looked at in March. Legal wanted to look at those a
23 little bit more closely as far as limiting lots to one
24 principal, one primary use.

25 And then we had -- You were discussing the pole sign
26 or pole signs and the height of those signs on Crile Road.
27 And, last month, I presented to you some statistics on some of
28 the more recent sign permit applications that were approved as
29 far as square footage of signs and heights of signs, and it
30 sounded like we wanted to reduce the sign heights that were --

1 that they're going to permit on Crile Road. I was
2 recommending 12 foot high. For reference, the Crile Crossing
3 signs, those are about 10 and a half feet. The Verizon one
4 that we know on Crile Road, that one is 30 feet in height.
5 The Drug Mart one, that one is a little bit taller, it's about
6 15 feet. They also did get a variance for the square footage
7 of that sign, so that's a little bit bigger than what our code
8 normally would allow. But --

9 So those are some of the changes. And then the
10 other change that's in here, too, is we came up with a
11 definition for "utility trailers." We are going to add in,
12 with the parking of recreational vehicles, we wanted to
13 regulate where those utility trailers might be parked at your
14 property. So sometimes property owners own like a small
15 little utility trailer, whether it be open or closed, for yard
16 work and stuff like that. We want people to be able to
17 continue to park, allow those on their properties but make
18 sure that we're defining them and the parking requirements are
19 the same for the recreational vehicle, so, basically, at the
20 building setback line, next to the house or behind the house
21 on an approved surface.

22 But other than that -- Oh, one other item was adding
23 one additional amendment in the Section 37 under Design
24 Standards specifying that the township's preference is to have
25 pitched roofs within our Capital District and looking at the
26 site plan development.

27 So other than that, those were the changes from
28 March to April, and I am available for any other questions
29 that you guys may have. I know you've looked at this between
30 now and then as well.

1 CHAIRMAN McINTOSH: Any additional discussion or
2 questions for Heather regarding those proposals?

3 MR. PETERSON: Having looked through this, there is
4 a lot of good work and I didn't see anything that was
5 questionable.

6 MR. REPERT: The only thing that I -- that brought
7 up to me was the 175 percent for a corner lot, the sign.

8 MS. FREEMAN: The hundred?

9 MR. REPERT: It's now at -- On 30.05 Delta, it says
10 "delete the provision to allow a corner lot to have a larger
11 sign at the corner."

12 MS. FREEMAN: Right.

13 MR. REPERT: Well, now it's down to 175 percent of
14 the regular sign on a single lot, not on a corner. Isn't that
15 still rather large?

16 MS. GERMOVSEK: Where are you reading this, 30 --

17 MR. REPERT: 30.05 Delta, D.

18 MS. FREEMAN: I thought we took this out. Hold on a
19 second.

20 MR. REPERT: It's now down to 175 percent. Let me
21 see where I am. 30.05 Delta, page 30.16.

22 MS. FREEMAN: I am with you. I think I might --
23 There might be a typo here -- hang on -- because I know we
24 were proposing to strike that out, not allowing them to
25 combine them at the corner.

26 MR. REPERT: Yes.

27 MS. FREEMAN: I am missing a page here. Hold on.

28 MR. REPERT: Yes.

29 MR. PETERSON: Oh, there, 30.16.

30 CHAIRMAN McINTOSH: Sub (a), it's down at sub (a),

1 bonus sign, corner lot, one additional freestanding sign shall
2 be permitted at the corner lot only in compliance with the
3 following:

4 The area of the freestanding identification sign
5 complies with this Section, and the total area of both
6 freestanding signs does not exceed 175 percent of the maximum
7 area permitted for a single sign; and --

8 MR. REPPERT: And we don't know.

9 CHAIRMAN McINTOSH: Yeah. Well, there's additional,
10 yeah.

11 MS. FREEMAN: I think I am missing a page here.

12 MR. REPPERT: 30.16.

13 CHAIRMAN McINTOSH: Yeah, it's nearly the last.

14 MS. FREEMAN: Yeah. There is supposed to be a page
15 after that, too, because this is --

16 CHAIRMAN McINTOSH: 19, yeah.

17 MS. FREEMAN: I am missing a page here because, if
18 you recall -- I should go grab the folder from last time -- we
19 were going to strike out the provision that allowed them to
20 combine the two signs and put them at the corner to have one
21 monstrous sign, which is what happened with the Verizon sign
22 that allowed them to go up to 120 square feet. So we were
23 proposing to strike that section. I will --

24 MS. GERMOVSEK: It was addressed on the --

25 MR. LINGENFELTER: Yeah, go ahead.

26 (Whereupon, Ms. Freeman stepped out of the room.)

27 MS. GERMOVSEK: -- on this. Delete the provision to
28 allow a corner lot to have a larger sign at the corner.

29 MR. REPPERT: Silly sign, right? Just look at
30 Verizon.

1 MR. GERMANO: It's a big sign.

2 MR. REPERT: Yes, it is. Yes, it is.

3 MR. GERMANO: Yeah, I'm missing a page too. Do you
4 have 17 and 18 in the packet?

5 MS. GERMOVSEK: No.

6 MR. REPERT: No.

7 (Whereupon, Ms. Freeman returned.)

8 MS. FREEMAN: Okay. So as the regulation currently
9 states in 30.05(D)(5), and then there is a subsection (a),
10 (b), and (c), we were -- And somehow that page was not
11 printed. But based on the draft version of proposed
12 amendments that we were looking at last month and that I still
13 want to move forward with, even though it's not in front of
14 you this evening, if we could amend these amendments to
15 include striking out Section 30.05(D)(5)(c), which allowed the
16 total area of both signs to be combined at the corner lot. We
17 want to -- I still want to propose to strike that out.

18 And I think what this is allowing, what this is
19 saying right here, Hiram, is that typically, in most of the
20 commercial districts, you are only allowed to have one
21 freestanding sign. However, if you are on a corner lot, we
22 want to allow people to have signage on both streets. So
23 between the two signs, between the two signs on each street,
24 you cannot have more than 175 percent of the maximum allowed.
25 So the maximum allowed in most districts is 60 square feet.
26 So if you wanted to have two, the total square footage of both
27 those signs couldn't exceed 175 percent of 60 square feet.

28 CHAIRMAN McINTOSH: Divided by two signs.

29 MS. FREEMAN: Right, divided by two signs, not
30 combined. Does that --

1 MR. REPERT: I just thought 175 percent was still
2 high.

3 MS. FREEMAN: Because you have to give some
4 allowance for that second sign.

5 MR. REPERT: For the corner lot, yes, I understand
6 that.

7 MS. FREEMAN: Okay.

8 MR. REPERT: But 175 percent is okay but it's got
9 to be equally divided among the two signs. You can't have one
10 at 120 and one at 55.

11 MS. FREEMAN: Well, yeah, the maximum for the one is
12 60, neither one can go over 60.

13 MR. REPERT: All right.

14 MS. FREEMAN: But the combination of the two then is
15 also capped at 175 percent of the 60.

16 MR. REPERT: Okay.

17 MS. FREEMAN: Does that make sense?

18 MR. REPERT: That makes sense.

19 MS. FREEMAN: So we could add into this amendment,
20 as I indicated, striking Section 30.05(D)(5)(c), which let me
21 double check that. That probably is under the -- at the very
22 beginning of your books here. Right. If you are looking at
23 the summary that I provided on page 4, under Section 30.05(D),
24 I did indicate that we were deleting that provision to allow a
25 corner lot to have a large sign at the corner.

26 CHAIRMAN McINTOSH: Oh, delete, okay, I see.

27 MR. PETERSON: It's there.

28 MS. FREEMAN: Yeah. It's just that page didn't get
29 printed when this was put together for you folks.

30 MR. REPERT: All right.

1 MS. FREEMAN: Thank you for pointing that out,
2 Hiram.

3 Is there anything else?

4 MR. REPPERT: Nothing.

5 MR. GERMANO: Heather, is there a 30.17 and 30.18?

6 MS. FREEMAN: There are, yeah, yeah. The pages in
7 front of you are only the pages that had proposed changes on
8 it.

9 MR. GERMANO: Okay.

10 MS. FREEMAN: Sorry.

11 MR. GERMANO: So those pages remain the same?

12 MS. FREEMAN: Yes, yeah, although the one, the
13 30.17, was inadvertently not printed, as pointed out.

14 MR. GERMANO: Gotcha.

15 CHAIRMAN McINTOSH: Any additional discussion or
16 questions for Heather? If not, I believe our next step is to
17 schedule the public hearing, which would be for our next
18 meeting, which --

19 MR. PETERSON: May 7th.

20 CHAIRMAN McINTOSH: May 7th.

21 MR. PETERSON: Yeah.

22 MR. LINGENFELTER: Wait a minute.

23 MS. FREEMAN: Mr. Chairman.

24 CHAIRMAN McINTOSH: Yes.

25 MS. FREEMAN: If the Board is ready and wants to
26 move forward with the amendments, I would recommend that we go
27 ahead and initiate the amendments as indicated on the agenda.
28 I have labeled them. I don't know -- it's pretty lengthy --
29 how you would want to --

30 MR. LINGENFELTER: I think we could believe just

1 enter them as, enter them as submitted to the Zoning
2 Commission on the agenda.

3 CHAIRMAN McINTOSH: Yeah. I think so, yeah.

4 MS. FREEMAN: So there would be Amendments 1 through
5 12.

6 MR. LINGENFELTER: Yeah.

7 MS. FREEMAN: Because there are 12 separate sections
8 of the Zoning Resolution that we are proposing.

9 MR. LINGENFELTER: I was thinking I was going to be
10 out of down. I'll be all right.

11 MR. GERMANO: Do you need to strike that one
12 provision?

13 MS. FREEMAN: It's listed on -- It's listed in here
14 under 30.05(D).

15 CHAIRMAN McINTOSH: Right.

16 MS. GERMOVSEK: It says, yeah, to delete the
17 provision.

18 MR. PETERSON: The last bullet.

19 MS. FREEMAN: Delete the provision to allow for the
20 corner lot to have the larger sign.

21 CHAIRMAN McINTOSH: But it's just not in the packet.

22 MR. REPERT: Right.

23 MS. FREEMAN: So it's included in here as the
24 amendment and then -- Is that acceptable then just to reprint
25 that page? Is that -- Do they have to have that right now in
26 front of them or can we just --

27 MR. GERMANO: Yeah. If they don't have it in front
28 of them, I mean, they can amend it. I mean, they can move to
29 strike it so there is just a record that it's been taken out.

30 MS. FREEMAN: Okay.

1 MR. GERMANO: Then approve the rest of it.

2 MR. LINGENFELTER: That is right?

3 CHAIRMAN McINTOSH: We're just --

4 MR. GERMANO: You're taking out 30.05(D)(5)(c),
5 right?

6 CHAIRMAN McINTOSH: But do we have to have that just
7 to schedule a public hearing?

8 MR. GERMANO: No.

9 CHAIRMAN McINTOSH: We're not voting on the
10 amendments tonight. We're just --

11 MR. GERMANO: No.

12 CHAIRMAN McINTOSH: Okay.

13 MR. LINGENFELTER: No, but I --

14 MR. GERMANO: They should know that it's coming out.
15 The public hearing should know what's in front of the Board.

16 MS. FREEMAN: Right.

17 MR. LINGENFELTER: Well, it's on the agenda and it
18 says delete it.

19 CHAIRMAN McINTOSH: Yeah.

20 MR. LINGENFELTER: Isn't that good enough then,
21 Mike? Right?

22 MR. GERMANO: Yeah, it is on there, delete.

23 CHAIRMAN McINTOSH: Right. It's on the agenda and
24 it's in the front page of our -- It's the same thing twice in
25 our presentation.

26 MR. REPPERT: Exactly.

27 MR. PETERSON: Yeah, we've got it.

28 MR. GERMANO: Yeah, it's twice. It's covered.

29 CHAIRMAN McINTOSH: Yeah, okay.

30 MS. FREEMAN: Okay.

1 MR. GERMANO: It's covered. It's covered twice,
2 wow. You're an expert.

3 MS. FREEMAN: Thank you.

4 MR. LINGENFELTER: We're really thorough.

5 MR. GERMANO: Check plus.

6 CHAIRMAN McINTOSH: Okay. So then I will entertain
7 a motion that we schedule -- And, again, as Heather said, just
8 Amendments 1 through 12 as submitted to the Zoning Commission
9 for a public hearing on May 7th.

10 MR. PETERSON: So moved.

11 CHAIRMAN McINTOSH: And a second?

12 MR. REPPERT: I'll second.

13 CHAIRMAN McINTOSH: All in favor? Opposed?

14 (Five aye votes, no nay votes.)

15 CHAIRMAN McINTOSH: Motion carries. We have our
16 public hearing scheduled for Tuesday, May 7th to discuss the
17 proposed zoning text amendments. Okay.

18 Now to the business of appointing our chair and vice
19 chair for the next year. I will make a motion to nominate
20 Rich Peterson as chairman.

21 MS. GERMOVSEK: I will second that.

22 CHAIRMAN McINTOSH: All in favor? Opposed?

23 (Five aye votes, no nay votes.)

24 CHAIRMAN McINTOSH: Motion carries.

25 MR. PETERSON: Okay. It's my turn?

26 CHAIRMAN McINTOSH: Sure. And we will need a
27 nomination for vice chair.

28 MR. LINGENFELTER: I nominate Sue Germanos --
29 Germovsek -- Germanos.

30 MS. GERMOVSEK: If you can say my name --

1 MR. PETERSON: I second that.

2 CHAIRMAN McINTOSH: All in favor? Opposed?

3 (Five aye votes, no nay votes.)

4 CHAIRMAN McINTOSH: All right. The motion carries.

5 Our Board next year will Rich and Sue for our chairman and
6 vice chairman -- I'm sorry -- not on Board.

7 Do I have a motion -- And then the next order of
8 business tonight is the approval for the minutes of the
9 March 5th meeting. Do I have a motion to approve the minutes?

10 MR. PETERSON: Mr. Chairman, I make a motion we
11 approve the minutes of the March 5, 2019, meeting as written.

12 CHAIRMAN McINTOSH: And do I have a second?

13 MR. LINGENFELTER: I'll second.

14 CHAIRMAN McINTOSH: All in favor?

15 MR. REPERT: I'll abstain.

16 CHAIRMAN McINTOSH: Abstain, okay. So four ayes,
17 one abstention.

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

19 CHAIRMAN McINTOSH: Correspondence of the Zoning
20 Commission members. Rich?

21 MR. PETERSON: Nothing.

22 CHAIRMAN McINTOSH: Sue?

23 MS. GERMOVSEK: No.

24 CHAIRMAN McINTOSH: Hiram?

25 MR. REPERT: Nothing.

26 CHAIRMAN McINTOSH: Andy?

27 MR. LINGENFELTER: Just some banter back and forth
28 with some residents on Next Door but, other than that, it's
29 all good.

30 CHAIRMAN McINTOSH: Okay.

1 MR. REPPERT: Is that because you're a neighbor or
2 because you're on the Zoning Commission?

3 MR. LINGENFELTER: People were asking questions
4 about what was going to happen with Chris taking, you know,
5 the Auditor's position and how they were --

6 MR. REPPERT: Oh, so it's nothing to do with the
7 Zoning Commission.

8 MR. LINGENFELTER: They were asking, they were
9 talking about -- What else? There was a couple different
10 topics that were going on.

11 MS. GERMOVSEK: The supermarket, as always.

12 MR. LINGENFELTER: It was pretty, pretty tame, for
13 the most part.

14 MR. REPPERT: Tame, that's a good way to put it.

15 CHAIRMAN McINTOSH: I did have a conversation and
16 questions about what happens with Trustee Galloway but, again,
17 it's not really zoning related. So --

18 Audience participation. Seeing none, we will move
19 and the next meeting, again, as previously stated, May 7th.
20 And with no further business, we will adjourn the meeting.

21 (Whereupon, the meeting was adjourned at 7:25 p.m.)
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STATE OF OHIO)
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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 8th day of April 2019.

Melinda A. Melton
Registered Professional Reporter

Notary Public within and for the
State of Ohio

My Commission Expires:
February 4, 2023