

CONCORD TOWNSHIP ZONING COMMISSION  
LAKE COUNTY, OHIO  
REGULAR MEETING

Concord Town Hall  
7229 Ravenna Road  
Concord, Ohio 44077

September 3, 2019  
7:00 p.m.

TRANSCRIPT OF PROCEEDINGS

Zoning Commission members present:

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

Also Present:

Stehanie Landgraf, 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 PETERSON: Good evening, everyone. I would  
3 like to call to order the Concord Township Zoning Commission  
4 meeting for Tuesday, September 3rd, 2019. Tonight we have a  
5 number of items on the agenda but the primary item we're going  
6 to be talking about tonight is the zoning amendment change  
7 request that was put forth by Ralph Victor Construction.

8 And the way we're going to work the public hearing,  
9 I think we'll have the applicant speak first. And then anyone  
10 that would like to speak, we'll take turns and you can come to  
11 the lectern, give your name and address and comment whatever  
12 you'd like to say about the particular amendment.

13 So with that, I'd like to open the public hearing.  
14 And is someone here from the applicant? Okay. Could you step  
15 forward, please, give us your name and address and --

16 MR. BROOKS: Yeah, it's Bill Brooks.

17 CHAIRMAN PETERSON: Bill.

18 MR. BROOKS: Address is 15504 Dale Road, Chagrin  
19 Falls, Ohio.

20 CHAIRMAN PETERSON: Very good.

21 MR. BROOKS: And I am here representing Ralph Victor  
22 Construction, along with Todd Victor.

23 CHAIRMAN PETERSON: Okay, very good. Why don't you  
24 give us an overview of what the reason for your request for  
25 change of the zoning is. We're talking about changing from  
26 R-1 Residential to R-3 Residential. So give us your thoughts  
27 on that and your plans.

28 MR. BROOKS: So thank you for allowing us to present  
29 this project this evening. We feel this is, this is an active  
30 adult, 55-and-older senior community, is really the last piece

1 in the puzzle of the continuing care in Concord. So we  
2 started with Concord Village skilled nursing and then we  
3 developed the Vista Springs project, the assisted living. And  
4 this is an independent living, 55 and older, one-, two-  
5 bedroom, two-car garage community for seniors.

6 So we really came up with this trying to follow the  
7 Comprehensive Plan that's part of Concord Township. So we  
8 looked at your Comprehensive Plan and said, What else do we  
9 need in Concord for it to support seniors? And this was the  
10 last piece of that puzzle.

11 CHAIRMAN PETERSON: Could you tell us somewhat what  
12 it's going to look like or how it's going to operate?

13 MR. BROOKS: Well, they're -- it's rental. It's  
14 one-, two-bedroom units. And the real, the real key to this  
15 project is that you could come in at 55, age in place, and  
16 then have services available to you. So if you need personal  
17 assistance, if you need medication reminders, if you need  
18 laundry, if you need any kind of services to assist you as you  
19 age in place, they will be available from the community. So  
20 that's -- and on an a la carte basis.

21 CHAIRMAN PETERSON: A la carte. Is it single story?  
22 Multi story?

23 MR. BROOKS: Single story.

24 CHAIRMAN PETERSON: Single story.

25 MR. BROOKS: Yeah.

26 CHAIRMAN PETERSON: And arranged --

27 MR. BROOKS: Cluster.

28 CHAIRMAN PETERSON: Cluster. Three, four per?

29 MR. BROOKS: Probably four to six.

30 CHAIRMAN PETERSON: Four to six.

1 MR. BROOKS: Yeah, and maybe some twos. We haven't  
2 gotten to the point where we've done the layout to see how  
3 many units could fit.

4 CHAIRMAN PETERSON: Okay.

5 MR. BROOKS: We're still working through that based  
6 on, based on zoning, of course, but we're working through all  
7 those issues with the engineer.

8 CHAIRMAN PETERSON: Any estimate on how many units,  
9 roughly, we are talking?

10 MR. BROOKS: At this point, we would -- it would be  
11 strictly on the land, how much -- where the detention has to  
12 go, you know, all the services, the sewer. All those things  
13 have to be considered. So it's 26 acres, you know. Of that,  
14 maybe we could get 19 to 20 developable acres. And then out  
15 of that, we would just follow the Zoning Code, which is six  
16 units per acre currently in the R-3.

17 CHAIRMAN PETERSON: So we could be talking roughly  
18 120 units, somewhere around there?

19 MR. BROOKS: Somewhere, that's, you know, that's --

20 CHAIRMAN PETERSON: And, typically, one to two  
21 people per unit, correct?

22 MR. BROOKS: Correct, correct, yes. Strictly  
23 rental. So it's, probably, the range would be in the \$1,800  
24 to \$2,500 a month rent and then the services on an a la carte  
25 basis added to that.

26 MS. GERMOVSEK: When you say services provided,  
27 would those be on the premises, like a laundromat, like that  
28 type of services or it would be outsourced?

29 MR. BROOKS: Outsourced. So we would, we would  
30 affiliate with Lake Hospital and we would affiliate with UH

1 Geauga and try to provide those services.

2           The healthcare, the way healthcare is going nowadays  
3 is they really don't want people to come into the hospital  
4 unless you really need to be in the hospital. So the  
5 emergency rooms, you know, a lot of times people go into the  
6 emergency room because of medication errors, they take the  
7 wrong medication, maybe they have -- maybe their sugar drops  
8 and they need some -- and they don't know what's going on. So  
9 healthcare is going to more of a kiosk-type situation to where  
10 you could be in your home, you can get online with your, with  
11 your primary care physician and talk through it. Maybe they  
12 talk through, What are you feeling? What are your issues?  
13 What are your symptoms? What are -- versus going right to the  
14 emergency room. So those are one of the things that we want  
15 to bring to the community as a feature.

16           CHAIRMAN PETERSON: Have you any experience in this  
17 type of development before?

18           MR. BROOKS: Well, we developed, we developed the --

19           CHAIRMAN PETERSON: The one on Auburn.

20           MR. BROOKS: Michael Francus, the Concord Village.

21           CHAIRMAN PETERSON: Right.

22           MR. BROOKS: And then I developed the assisted  
23 living.

24           CHAIRMAN PETERSON: Okay.

25           MR. BROOKS: I feel like, I feel like this model for  
26 seniors to be in an active community where they can, they can  
27 stay there for six months and go away for six months. They  
28 don't have to do -- They don't have to change a light bulb, no  
29 maintenance, no nothing. They have no responsibility at all.  
30 So I feel like this, this model is great for everybody. It

1 gives everybody an opportunity to live somewhere, to age in  
2 place comfortably, have services, have the -- And even the  
3 kids of seniors that are going in have the comfort that you  
4 have the services that are available on an a la carte basis.  
5 But maybe you don't need to really pay, you know, the seven,  
6 eight thousand dollars a month that you would if you went into  
7 an assisted living.

8 CHAIRMAN PETERSON: Right, right. Any other  
9 questions on the Board?

10 MR. SCHINDLER: Yes, I have several. Why did you  
11 pick that particular location? Why didn't you build this to  
12 be an asset to where you've already built the other two  
13 facilities?

14 MR. BROOKS: Well, I was trying to find somewhere.  
15 I was looking initially in between Vista Springs and Concord  
16 Village, which is the Swagelok property. And I looked in  
17 there but that was part of the town hall development, so it  
18 kind of got pushed out of there as an opportunity. And I  
19 think there is something with the Township's work and the  
20 Swagelok on a town hall development plan, so I felt it better  
21 not to, not to get in the middle of that. We did buy the  
22 property for Vista Springs from Swagelok but that wasn't part  
23 of the whole town center project, so it was a little bit on  
24 the outskirts of that.

25 So I was looking everywhere because, you know, our  
26 market study shows there is still about 130 bed need for  
27 independent in Concord. It's amazing how many seniors that  
28 are in this area. And the market study is about a five mile  
29 radius from Concord all the way around. So there is still a  
30 significant need for it and I just think this is the future

1 for people. I mean, if you think about it, if you add up your  
2 insurance and your property taxes and your utilities and your  
3 maintenance on your house now, you're paying \$1,500 a month.  
4 So it gives people a chance to keep their home.

5 A lot of times when you wait to the point where you  
6 need to go into assisted living, it's, you know, your assets  
7 are pretty much sold to pay for it, but it gives people a  
8 chance to stay and keep their home, keep their assets for as  
9 long as they can.

10 MS. GERMOVSEK: But these would be rentals, also.

11 MR. BROOKS: They would be rental, yes, correct, but  
12 at \$1,500 instead of \$7,000.

13 CHAIRMAN PETERSON: Do you have any other questions?

14 MR. SCHINDLER: You know, most of the research I  
15 have done over the years, when seniors get to a point where  
16 they can't take care of a home, they prefer to be in a  
17 location that the amenities that they need could be basically,  
18 hopefully, walked to. And where you're going to plan on  
19 developing this, it's going to be isolated by itself where  
20 most of them would have to drive, which a lot of them don't  
21 after they reach a certain age. So in itself, it doesn't seem  
22 to be a logical location to put something like this for their  
23 needs.

24 MR. BROOKS: Well, I agree, but the community would  
25 provide a shuttle just like the assisted living does, so you  
26 could be shuttled back and forth to wherever you want to go.  
27 If you want to go out for groceries or medical or medicine or  
28 anything like that, there would be shuttles provided at the  
29 community.

30 But it's hard to find that, what you're saying.

1 It's very difficult. I built an assisted living in Parma and  
2 it was right in the Parmatown Mall which people can walk to.  
3 But those types of properties, because the commercial is so  
4 much higher as far as cost, those are very hard to find.

5 MR. SCHINDLER: So you're saying that none of the  
6 land we have right now that's focused in our township center  
7 is not available to build something like this?

8 MR. BROOKS: No. The closest would be the Swagelok  
9 piece. You know what I mean? That would be the closest that  
10 I can think of.

11 MR. SCHINDLER: And you say that's not available?  
12 You can't --

13 MR. BROOKS: Not from what I was told, no.

14 MR. SCHINDLER: Who told you it's not available.

15 MR. BROOKS: I've been told by many people.

16 MR. SCHINDLER: Local officials?

17 MR. BROOKS: Huh?

18 MR. SCHINDLER: Local officials, township officials?

19 MR. BROOKS: Just pretty much everybody, yes, sir.

20 MR. SCHINDLER: Pretty much everybody.

21 CHAIRMAN PETERSON: Any other questions?

22 MR. McINTOSH: Yeah. I think you've made an  
23 interesting case as far as the practicality of such a  
24 development. And we all know that the demographics of our  
25 society, these kinds of things are needed. But this is the  
26 Zoning Commission and we have to consider -- and Frank has  
27 gone in a good direction -- with respect to the land, the  
28 property, the location.

29 With respect to selecting it, did you take into  
30 consideration -- I mean, it's a two-part question -- did you



1 take into consideration what is around it from the standpoint  
2 of it's going to be isolated, to some respect? I am looking  
3 around it. I don't see density that matches what you're  
4 talking about.

5 The other thing, too, is you indicated in the --  
6 Here we have an eight acre -- eight units per acre and you're  
7 saying six units per acre. I mean, what, are you targeting  
8 the maximum density that you can get out of that property? Is  
9 that your objective?

10 MR. BROOKS: And that totally depends on what we get  
11 as far as useable land, so how much, how much infrastructure  
12 is chewed up by detention ponds, utilities, roads, things of  
13 that nature. So the less land we have, the more density we  
14 would need. And then this site actually -- I was reading the  
15 Comprehensive Plan that you did in 2015 and I saw that there  
16 was, there was an R-5 zoning.

17 CHAIRMAN PETERSON: There was.

18 MR. BROOKS: Which was proposed at one point.

19 CHAIRMAN PETERSON: There was, yes.

20 MR. BROOKS: It was, it was very supportive of an  
21 active adult, senior living, independent community for Concord  
22 and it specified that there wasn't one currently and that they  
23 would need to find the right location for it. So that hasn't  
24 been done, I don't believe. So I thought Mr. Victor's  
25 property on Prouty Road running along 44, I mean, that is  
26 about as uninterrupted as you -- is that a word -- that's  
27 about as remote an area as you can get. And it's right around  
28 the corner from Lockwood Ridge, which is a nice community back  
29 there. I mean, that's a beautiful community and that's right  
30 off of Auburn Road. So it's less than .4 miles from Lockwood

1 Ridge, which looks to be a similar, similar community.

2 CHAIRMAN PETERSON: Yeah. I think the only negative  
3 or one of the negatives that I see with that piece of property  
4 is the hill on Prouty Road or on Prouty coming up to Morley.  
5 I drive that a lot because I live off Morley Road. It's a  
6 very dangerous intersection. And if someone were there, older  
7 drivers, people in their '80s or '90s driving that, it would  
8 be a very difficult daily challenge because, to get to  
9 anything towards Painesville or Mentor, you're going to have  
10 to negotiate that hill and that blind rise on the hill. That  
11 would be a -- I'd see a negative there.

12 MR. BROOKS: And our target demographic would be the  
13 50, 60 to 80 range.

14 CHAIRMAN PETERSON: They get older than that, they  
15 go elsewhere?

16 MR. BROOKS: Well, they would go to the -- they  
17 would go to Vista Springs on Auburn Road.

18 CHAIRMAN PETERSON: Okay.

19 MR. BROOKS: So we are kind of a feeder for the  
20 assisted living, you know, the skilled nursing. Michael  
21 Francus' facility would support us, we would support them.  
22 It's kind of that -- I think Lake Health had the vision of  
23 doing, you know, acute hospital here and then having the, to  
24 try to control the cost, do the skilled nursing, which myself  
25 and Lloyd Chapman helped bring to Concord. And then from the  
26 skilled nursing, they wanted the assisting living because it  
27 kind of -- it gets pushed down. It goes from acute to skilled  
28 to assisted, and then our independent would support all of  
29 that for the seniors.

30 CHAIRMAN PETERSON: Okay.

1 MR. BROOKS: And we would probably use some  
2 services. We would probably use some services with Michael  
3 Francus and partner with Lake Health, Michael, the assisted  
4 living, and probably UH Geauga for some of the services.

5 CHAIRMAN PETERSON: Okay.

6 MR. BROOKS: It's a, it's a newer model that's being  
7 -- It's kind of assisted living like, is what they're calling  
8 it, but it gives the people, baby boomers, that generation an  
9 opportunity to get out of their house, get into something they  
10 can rent and have the freedom to do whatever they want. And,  
11 you know, these facilities will be all ADA compliant, you  
12 know, no steps, single story, no stairs. The biggest thing  
13 with when you age in place is that the ability to go up and  
14 down. The convenience of having this setup is kind of a smart  
15 home is what you would call it. You know, cameras, you can  
16 view, if you're down in Florida, you can view what's going on  
17 in your, in your unit. So --

18 CHAIRMAN PETERSON: Okay.

19 MR. SCHINDLER: You know, as a Zoning Commission, we  
20 are supposedly, when we rezone areas, the purpose of our Board  
21 is to look out for the health, safety and welfare of the  
22 community. And Richard brought up a good point, which I know  
23 is very bad, is that location and that steep hill is very  
24 dangerous. And many years ago, the township was supposedly  
25 looking into approaching the state about eventually putting a  
26 bridge across there to minimize that highly dangerous area.  
27 And because of that, I see a lot of problems that could  
28 happen.

29 I know you are going to provide all these services.  
30 They're going to be supported by other things in the

1 community. But the biggest thing I have a concern about is  
2 because the density is too great and the age of the people that  
3 are going to be living there. And I don't consider myself  
4 old. But like Richard, there is many times going up and down  
5 that hill, especially in the wintertime, it is very dangerous.

6 I've had people, believe it or not, when I stop at  
7 the bottom to wait for that light because it's so steep, I've  
8 had people go around me, elderly people go around me because  
9 they can't wait. They want to see, why am I down here? But  
10 they don't realize how dangerous that intersection is.

11 CHAIRMAN PETERSON: It's a five-way intersection.  
12 And at certain times of the year, the sun sets right directly  
13 over Prouty Road, so as you come up the hill you're totally  
14 blinded. It's, really, it's a tricky intersection.

15 MR. SCHINDLER: It's really bad. So to have  
16 something like that, first of all -- I realize what you're  
17 trying to do. Is it something that's needed in communities?  
18 Yes, totally. We're all aging and our group is going to be  
19 the largest, I guess, in the next 20 years. We need places  
20 like that. But the biggest thing I have to look at, too, is  
21 where these are going to be put. And those are the things  
22 I have look out for, for what's going to happen, possibly, in  
23 the future.

24 So much traffic is going to be involved with coming  
25 out of there, especially with the age of the people that are  
26 going to be living in there, and I don't want to see anybody  
27 get hurt. And nowadays, unless that road somehow is going to  
28 get fixed, which hasn't happened yet, or the bridge that they  
29 always talk about maybe being built across there to eliminate  
30 that hill should be put in -- that hasn't happened yet -- I

1 find it very, very difficult to be able to put favor on  
2 granting your zoning, to be honest with you.

3 MR. BROOKS: I would think, at some point if we got  
4 further down the road, we would, we would be required to do a  
5 market -- do a traffic study to really determine what that  
6 traffic issue is at that intersection. I would think that  
7 would be part of it, for sure.

8 MR. SCHINDLER: Well, it is a requirement in  
9 general. Most developers want to do that because it builds up  
10 their case for having a favorable decision and that should be  
11 done. But the biggest thing I think you're going to find out  
12 is how many accidents they've had there over the years, how  
13 dangerous that intersection is. And taking your residents'  
14 traffic coming out of there onto that road is going to be  
15 very, very dangerous, the way I see it.

16 So unless you, as a developer, would like to put a  
17 nice bridge in there to take care of that, which we would love  
18 you to do, that would be fantastic.

19 MR. BROOKS: Todd loves building bridges.

20 MR. SCHINDLER: That's great because that's the  
21 biggest thing I am telling you would be favorable for me to  
22 want to approve something like this, to be honest with you.

23 MR. BROOKS: And there is not a whole lot of -- I  
24 mean, I looked around pretty good. There is not a whole lot  
25 of larger pieces of land in the township that would be viable  
26 for this type of product. So working with Todd, we thought  
27 that this might be a good spot for it. So --

28 CHAIRMAN PETERSON: Yeah, most of the larger parcels  
29 of land might not have water and sewer.

30 MR. BROOKS: That's the point, yeah. We talked to

1 Randy Roethlisberger, with the county, about the sewer and  
2 there is, there is an opportunity to do an easement through a  
3 piece of land to get to the sewer on Auburn, either that or go  
4 down Prouty.

5 MR. LINGENFELTER: How long have you been  
6 contemplating this?

7 MR. BROOKS: Since I built Vista Springs.

8 MR. LINGENFELTER: So you've been thinking about it  
9 for a while?

10 MR. BROOKS: A long time.

11 MR. LINGENFELTER: Is there a reason why you didn't  
12 bring any kind of like a concept drawing of any units or some  
13 sort of just a, kind of a thumb-to-the-wind plan as to how you  
14 were going to lay everything out? It's kind of hard for me to  
15 consider --

16 MR. BROOKS: I know.

17 MR. LINGENFELTER: -- you know, a project like this  
18 with a rezone request without -- I don't even know what a  
19 building looks like. You don't even know what it's going to  
20 look like. You're telling us, you're giving us a general idea  
21 but you are not telling us -- I have no idea, outside  
22 construction, elevations, you know, number of units. You're  
23 staying could be this, could be that, you know, it could be  
24 three units, could be four, might be less, might be more.

25 I mean, it would have been nice for you to come with  
26 some sort of a plan, with drawings, and give us for just an  
27 idea so I could see what it would look like. You know, I  
28 mean, it's kind of hard to contemplate something like this  
29 with the impact it would have, you know, without seeing what  
30 you're really thinking about.

1 I mean, if we were to just, if we were to grant this  
2 request as is, I mean, we're taking a flier that you're going  
3 to come back with some sort of a proposal that's going to be  
4 acceptable. What if it's not? You know, the, kind of, the  
5 horse is out of the barn, you know? Because I would much  
6 rather see what you're thinking about, you know, before,  
7 before putting together some sort of a serious thought to, you  
8 know, rezoning the property. I was hoping you were going to  
9 have some conceptual drawings or some sort of a layout, some  
10 sort of an idea.

11 MR. BROOKS: We're fairly early on in the process.  
12 We just wanted to see what the Zoning Commission would think  
13 about a rezone first.

14 MR. McINTOSH: I think something else that's  
15 important for us to reflect on is the fact that you're asking  
16 for us to rezone property and we're not looking at a site plan  
17 or anything, like Mr. Lingenfelter just said. So we're stuck  
18 doing this blind, so to speak, and not necessarily with  
19 assurances that this is what's going to transpire. I think  
20 you've made a compelling case for the type of facility. And,  
21 yes, our Comprehensive Plan needs it. Communities around this  
22 area need it. Concord needs this kind of a thing. I don't  
23 think there's anyone here that disputes it. And it sounds  
24 like you have a thorough idea of what it would take to put  
25 something like that in place.

26 But if we rezone the land and things happen, we're  
27 stuck with the rezone. And if that plan doesn't come to  
28 fruition -- which at this point would be a blind guess on our  
29 part anyway -- we are stuck with rezoning property that, by my  
30 measure, is -- it doesn't necessarily match the adjoining.

1 There is nothing around it. Yes, Lockwood Ridge is close but  
2 when you look at what's around it, there is a -- it has its  
3 fit and things have gone in around it and you're asking us to  
4 put another island of things around where density doesn't even  
5 match.

6 You know, you've got some condos further down Prouty  
7 Road but there is residential density that is a little closer  
8 to that. You're looking at something that's a little --  
9 You've got large properties across the way, and to the east  
10 you've got, you've got properties with substantial acreage  
11 there as well and you're now asking for something that's  
12 dissimilar in function.

13 So if we were to go ahead and grant a rezone without  
14 a specific plan, without a commitment or something, and also  
15 mixing the density, for a lot of other reasons as brought up  
16 by this Board, you put the township in kind of a tough spot.  
17 And, you know, it's just kind of -- It's a blind thing there.

18 So we've got two parts. We've got a rezone and  
19 we've got eventually what you are going to do and they're two  
20 different actions at this point, and we're only dealing with  
21 one with respect to the rezone. We'd have to deal with that  
22 other part later. But there's a lot of detail missing at this  
23 point, I think, at least for me.

24 CHAIRMAN PETERSON: It's difficult to visualize what  
25 this is going to look like at this stage other than a piece of  
26 land that you're going to carve up and put these units in. It  
27 might be beautiful -- I don't know -- but I can't picture it.

28 MR. LINGENFELTER: Vista Springs is nice, I mean.  
29 And I don't debate the, you know, value of what you're  
30 thinking about doing. Some of the things you guys have



1 already done and projects you've done, I think, are really  
2 high quality.

3 CHAIRMAN PETERSON: Yeah.

4 MR. LINGENFELTER: I mean, if you go over there and  
5 take a look at what you guys have done, I think that, you  
6 know, what you've done speaks for itself. But that's not good  
7 enough because we do, like Morgan said, we rezone this and  
8 it's rezoned R-3 and we're wearing that, whether you guys do  
9 your project or not. We've been down that road on a couple of  
10 other projects in the township over the last few years.

11 CHAIRMAN PETERSON: Yeah.

12 MR. LINGENFELTER: And, you know, I just, you know,  
13 it doesn't sit real well with me.

14 MR. BROOKS: We could always -- I will let Todd  
15 speak if he wants to but we can always, we can always give you  
16 some visuals of what we're looking at. It's comparable to  
17 NDCL and what they're doing with the cottages in front of  
18 NDCL.

19 MR. LINGENFELTER: Right.

20 MR. BROOKS: If you've been down that way, it's very  
21 similar to that on a two, two-pod, four-pod, and six-pod  
22 setup, so very comparable.

23 CHAIRMAN PETERSON: I haven't seen that. I don't  
24 know.

25 MR. BROOKS: They're right -- You know the Notre  
26 Dame Cathedral Latin right off Auburn Road?

27 CHAIRMAN PETERSON: Yeah.

28 MR. BROOKS: In front, they're building cottages.

29 CHAIRMAN PETERSON: Oh, okay.

30 MR. BROOKS: It's independent living. It's exactly

1 what this model is. And they built the assisted living behind  
2 it and the assisted living supports the cottages. Whereas,  
3 we're going to be supported -- We're more of an independent  
4 supported with the services from the hospitals.

5 CHAIRMAN PETERSON: Okay.

6 MR. BROOKS: And other outsource type providers.

7 CHAIRMAN PETERSON: Well, I concur with Andy that  
8 the two that you've already built in Concord are nice  
9 facilities, no doubt about it. I've been in the Concord  
10 Village several times visiting people there. It's a beautiful  
11 facility. And Vista Springs is beautiful. I haven't been in  
12 it but that speaks well of what you might do for us. But I  
13 still have a hard time visualizing what this might look like  
14 because it's kind of a different concept.

15 MR. BROOKS: Yeah, I understand.

16 CHAIRMAN PETERSON: Any other questions here?

17 I'd like to -- Thank you, Mr. Brooks.

18 MR. BROOKS: Okay. Thank you.

19 CHAIRMAN PETERSON: Unless you have anything else  
20 you'd like to add.

21 MR. BROOKS: That's it. I just -- We're just trying  
22 to finalize that continuing care model that's been in your  
23 Comprehensive Plan.

24 CHAIRMAN PETERSON: Okay.

25 MR. BROOKS: So we would like to go on -- You know,  
26 I am working with Todd on his site, so we would like to see it  
27 go there. If there is recommendations from the township,  
28 we're opening to listening to them.

29 CHAIRMAN PETERSON: Okay. Thank you.

30 MR. BROOKS: Thank you very much.

1           CHAIRMAN PETERSON: Before I open it to general  
2 discussion, I'd like to read into the record the  
3 recommendation we received from the Lake County Planning and  
4 Community Development Commission, and this is dated August 28,  
5 2019, and it's addressed to Heather. And it says, "Dear  
6 Ms. Freeman: The Lake County Planning Commission took under  
7 consideration the above-mentioned zoning district change at  
8 their regularly-scheduled meeting on Tuesday, August 27, 2019.  
9 The Lake County Planning Commission recommended that the  
10 district amendment not be approved and that the proposed site  
11 remain R-1 -- in the R-1 zoning district and that Concord  
12 Township consider creating senior housing standards and  
13 determine areas where they would like to see it developed.  
14 We're available to help with any aspect of this  
15 recommendation. If you have any questions, please feel free  
16 to call Dave Radachy or -- Director, or Joseph Rose, Planner  
17 1." And it's signed by David Radachy.

18           So we do have a recommendation not to approve from  
19 the town -- or from the county. However, when I asked further  
20 about that, it wasn't that the proposal -- it was nothing  
21 against your proposal specifically. Their concern was we, as  
22 a township, haven't addressed how we want to handle that type  
23 of housing, so that was their concern. So I wanted to get  
24 that in the record.

25           Now I'd like to open it up to anybody that would  
26 like to come up and speak for or against this zoning change,  
27 and I would start with this side of the room over here.  
28 Anybody who would like to come up and say anything?

29           MS. HENDERSON: Yes, I would.

30           CHAIRMAN PETERSON: Okay. Please step up and give

1 us your name and address.

2 MS. HENDERSON: Eleanor and George Henderson. We  
3 live at 10886 Prouty Road. Our driveway is exactly across  
4 from Auburn Ridge, which is a beautiful development. And I  
5 just want to oppose the change of the R-1 to R-3. We have  
6 tremendous traffic on Prouty Road. It isn't just the last  
7 month but it's all the way backed up from Auburn Road to the  
8 horse barn. And we knew, we knew the horse barn. We were  
9 there in 1962, we moved into Concord Township, and there was  
10 nothing but K&B Farms there, which taught our children how to  
11 ride horses. And they had a horse barn -- trade business and  
12 they kept, you know, horses for people in the stables and it  
13 was very rural. It was very nice. And there was hardly  
14 anything built on Prouty Road.

15 But the traffic has been horrendous lately. I  
16 talked to a neighbor and there are semis now running up and  
17 down Prouty Road the last month or two, I've seen, not Fed Ex  
18 trucks, not Amazon trucks, they're big semis. And it's a  
19 cut-through for 90 and 44 and 84. And I think it would be --  
20 I don't know where the driveway to this development would be  
21 but the bridge is right there where Schroeder's property  
22 started and the horse barn is right after it. I don't know  
23 where the driveway would be but the traffic -- And the hill  
24 you talk about, I've been stuck on that hill and had to back  
25 down that hill with traffic behind me and it's scary.

26 So that's what I am going to propose, that you think  
27 about it. And thank you very much for your help.

28 CHAIRMAN PETERSON: Thank you, Mrs. Henderson.

29 Anyone else on this side of the room like to speak?  
30 Anybody over here? Oh, yes, ma'am.

1 MS. SCARL: I have a property at 10725 but I used to  
2 live at where my son lives now on Prouty.

3 CHAIRMAN PETERSON: And your name?

4 MS. SCARL: Margaret Scarl.

5 CHAIRMAN PETERSON: Okay.

6 MS. SCARL: And I feel I oppose this change. I  
7 know, when we lived on Prouty, this is before all the  
8 development and whatnot had come in. We would wait 10, maybe  
9 15 minutes to get out of our driveway on Prouty. And I don't  
10 see Prouty having that capacity to hold all the traffic that  
11 will be coming out of this development. With the school buses  
12 and in the summertime when there is baseball games at Auburn,  
13 you can't get out of your driveways on Prouty. So that's my  
14 concern.

15 CHAIRMAN PETERSON: Thank you, ma'am.

16 MS. SCARL: Uh-huh.

17 CHAIRMAN PETERSON: Anyone else on this side of the  
18 room? If not, I will go over to this side of the room.  
19 Anybody like to speak? Yes, sir.

20 MR. PETERS: Don Peters, I am 10725 Prouty Road. I  
21 really oppose this mainly because of the traffic. I've only  
22 lived in the house for three years so far and I've actually,  
23 literally, seen six cars in the winter go into the ditches in  
24 front of my house. We're right at the top of the hill,  
25 practically. The traffic that goes up and down -- try to cut  
26 your tree -- Try to cut the lawn between the road and your  
27 property with the ditch line. It's like taking your life in  
28 your hands right now. I kind of refer to it as the Pet  
29 Cemetery Road, pretty much.

30 It's a 40-mile-an-hour road. People like to do 50,

1 60. I've even seen cars stop, gun it, spin their ties and see  
2 how fast they can go before they got across the bridge. So,  
3 especially, I really recommend you guys -- Because I am a  
4 software developer. If I develop a project without a thorough  
5 plan, without a design, without mock-ups, it doesn't happen.  
6 And I really think the way they're proposing it almost sounds  
7 like these guys want to feed into their own pockets by tying  
8 all their properties together.

9 And I understand the elderly community. My wife's  
10 grandparents are 95 and 87 and they just moved into an  
11 assisted living place. We did a lot of research. My  
12 great-aunt was 101 when she died. She lived in an assisted  
13 living place. She lived in a medium, like, a middle assisted  
14 living place as well. I have never seen one that was just so  
15 remote from the other pieces of that property.

16 Prouty Road, the way the intersections change, you  
17 can't even go straight across to the hospital. You've got to  
18 loop three miles out of your way just to get to the hospital  
19 now, and that all happened within a couple weeks of me moving  
20 there.

21 So I am strongly opposed to --

22 CHAIRMAN PETERSON: I understand.

23 MR. PETERS: -- changing that from R-1 to R-3.

24 CHAIRMAN PETERSON: Okay. Thank you.

25 MR. PETERS: Like I said, even just coming out of my  
26 driveway, with the bridge there and the hill on the other  
27 side, sometimes you wait forever just to get out of the  
28 driveway. Fortunately, I go to work at 6:00 in the morning  
29 and there is not much traffic but --

30 CHAIRMAN PETERSON: Okay.

1           MR. PETERS: And another thing, no street lights.  
2 It's pitch black at night. You might get a little bit of  
3 light off 44 but that road, pretty much, at that end is pitch  
4 black.

5           CHAIRMAN PETERSON: Okay. Thank you.  
6           Anyone else on this side of the room like to speak?  
7 Yes, sir.

8           MR. WEBSTER: I'm Mike Webster. I have lived out  
9 here in Concord for 75 years, so I know what it used to be  
10 when it was really rural. Okay? I live right across from  
11 Peggy's house and the big barn there on land that my  
12 grandfather owned when he had the farm.

13           And the lady is correct. The traffic is horrendous  
14 and there are big semis on there all the time. I don't know  
15 if you guys were aware of it or not but they're there. It's  
16 not just once in a while, they're always there. And you do  
17 have to wait five, six minutes to get out of your driveway  
18 because the cars just fly by there. So, you know --

19           And another thing, what is the, what is the -- How  
20 is this development, if it goes through, how would that affect  
21 the houses right around there? You know, I don't know if I  
22 want 150 rental units right across from my house.

23           But the traffic is a problem and the hill is bad.  
24 Anybody that's driven on it knows that is a major problem.  
25 And I think, before this plan could be approved, you've got to  
26 have a little bit more detail on there rather than, well,  
27 we're going to talk to the hospital to get the transportation  
28 and service. Well, if you've got to go to the emergency room,  
29 you don't have time to get on the phone. You ever tried to  
30 call TriPoint? You're on, you're on hold. Okay? You can't

1 get through. So, you know, that's all I got to say.

2 CHAIRMAN PETERSON: Okay.

3 MR. WEBSTER: But I am opposed to it, in case you  
4 didn't get that.

5 CHAIRMAN PETERSON: Thank you.

6 Anybody else on this side of the room care to speak?  
7 Yes, sir.

8 MR. HAMMER: My name is Mike Hammer, 6980 Auburn  
9 Ridge Drive. Everybody was pretty much right on but it seemed  
10 like they concentrated on the hill on Prouty. It's a mess all  
11 the way, Auburn up to 44. The whole, that whole area is a  
12 congested mess.

13 Secondly, things that weren't brought up, as far as  
14 rentals for profit, in the original letter that was sent out,  
15 it's a for-profit. What happens when the profit's not there  
16 or they're not making their margin? Then what becomes of the  
17 properties?

18 Third, I was also told that, if the R-3 is zoned to  
19 R-3, that they don't have to do what was proposed. As long as  
20 it's R-3, they can change whatever they want to do. To me,  
21 that's either a major loophole or, at least, sounds illegal.

22 And once again, like I said, this is a for-profit  
23 entity, which to me would make that commercial in a  
24 residential area. I mean, I could be wrong but that's the  
25 vibe I'm getting.

26 But, yes, I am opposed, more importantly, like I  
27 said, for the traffic concerns but also, like I said, you  
28 know, what happens when this isn't generating a profit? Then  
29 what happens? Thank you.

30 CHAIRMAN PETERSON: Thank you.



1           Anyone else care to speak? Sir.

2           MR. SIKULA: Yes, sir. Hal Sikula, I live at 6989  
3 Auburn Ridge Drive. And everybody that's been talking so far  
4 has said about the traffic and we all know. Just come to our  
5 street and try to get out of that street at 7:00 in the  
6 morning and you'll make -- You'll be a believer.

7           I've got a question about this access to the Auburn  
8 Road sewer. That's all privately owned land. There is no  
9 access to that Auburn Road sewer, and the one on Prouty is  
10 full. So what are we going to do with this? Even as an R-1,  
11 which we have two acres or thereabouts and septic systems on  
12 our development. It's costly. And is there a plan for this  
13 that we don't know about? Did they buy some property? We  
14 don't know any of this.

15           But I just go back to what we moved to Auburn for.  
16 We built our house in 2001-'2, and it was that close to the  
17 country atmosphere. This is not close to the country  
18 atmosphere when there are from 150 to 200 rental units next  
19 door to you, not in my book. That's all I have. Thanks.

20           CHAIRMAN PETERSON: Okay. Thank you.

21           Anyone else from this side? Vanessa.

22           MS. PESEC: Thanks, that's fine.

23           Vanessa Pesec, 11705 Cali Court. I wanted to refer  
24 specifically to some of the zoning text, as well as the  
25 Comprehensive Plan, the 2015 plan. And so regardless of the  
26 pictures that might be presented or plans presented in the  
27 future, if you look at Section 15.01, Purpose, Letter B, it  
28 said that, in order to rezone to R-3, that you need to meet  
29 three of the following criteria:

30           As a transitional land use between areas currently

1 zoned R-1 Residential and non-residential areas, so the land  
2 to be rezoned R-3 is between R-1 and something that is a  
3 higher density or different or commercial. This is not --  
4 wouldn't be the case in this land.

5 In areas adjacent to major highways, such as 90. It  
6 is adjacent but it has no entrance or exit to such a highway.

7 And in locations that are currently zoned R-1 and  
8 where low density residential is not likely to develop because  
9 of the locational or site considerations. Again, this is  
10 likely that it would be able to be developed R-1, two homes  
11 per acre. There is no reason that it couldn't be and continue  
12 to stay in this low density, which would help many of the  
13 concerns with traffic and congestion and so forth.

14 So just from the purpose of Section 15, Residential,  
15 looking at R-3, it doesn't seem to meet the criteria for the  
16 rezoning.

17 Second, if you look at the Comprehensive Plan in  
18 2015 -- and some of you were actually in many of those  
19 meetings -- you will see that there is recommendation to  
20 consider whether R-3 should include some type of senior  
21 living. It doesn't recommend that you do it. It recommends  
22 that you, as a Board, consider even including it in R-3. And  
23 part of the reason, if you go through all the discussion, in  
24 the conclusions -- I think it's on page 43 -- you will see  
25 that they talk about several considerations were raised,  
26 including but not limited to extent to which senior specific  
27 housing developments and care facilities may impact or  
28 displace other uses in the community, the character of  
29 intensive uses and higher housing development related to the  
30 character of the township's potential tax base impacts.

1           So the Comprehensive Plan in 2015 asks you to  
2 consider looking at including senior housing in R-3. So it  
3 doesn't seem that, in this kind of a situation where you're  
4 not looking at a plan and you don't have studies and so forth  
5 to really consider if and where it might be good, that you  
6 would do that.

7           Third, I do believe that it was mentioned and it is  
8 true, that regardless of whether or not this plan of senior  
9 housing would go in, when you rezone, you can rezone and get  
10 up to eight units per acre. And that high density could be  
11 roughly 150, 180 units. If you take away, you know, ten  
12 percent for roads and that sort of thing, you come up with  
13 about 180 units. And the highway studies show that there is  
14 eight car trips per day per household, so you're talking 1,400  
15 car trips for that kind of a property. So maybe it will be  
16 1,000, maybe it will be 1,400, but it's a lot of traffic that  
17 people were talking about and that just starts to give you  
18 some, some of the numbers. It was the, the Highway.gov policy  
19 that talked about the eight units per -- the eight car trips  
20 per unit.

21           So those are the reasons that specifically I think  
22 that you should deny this, deny this application. Thank you.

23           CHAIRMAN PETERSON: Thank you.

24           Anybody else care to speak?

25           Okay. I guess the discussion is up here now. So I  
26 am going to close the public hearing portion of this and now  
27 it's up to us to discuss.

28           I would say a couple things on some of the comments  
29 that I heard. I believe there are three R-3 zoned areas on or  
30 near Prouty Road currently: The condos that are east of

1 Auburn Road; Aria's Way which is up on the other end of  
2 Prouty, on 84; and then Lockwood, the Lockwood Ridge complex.  
3 So we do have three R-3 areas that are close to Prouty Road.

4 And, hopefully, everybody realizes this. As an R-1,  
5 Mr. Victor could go in there and build 40 house, that's 80  
6 cars. So traffic is something we always hear as a concern but  
7 it's not going to get any better because Concord is growing  
8 and that development could yield 40 new houses, so we all  
9 understand that.

10 Having said that, discussion on the Board, on the  
11 Board here as far as thoughts? My concern personally is I  
12 don't understand enough about this development. I don't know  
13 what it's going to look like. I don't know what it's going to  
14 feel like and what its impact might be. So, at this point,  
15 I'm not comfortable with it.

16 Other thoughts?

17 MS. GERMOVSEK: Well, traffic is already a problem.  
18 I feel like --

19 CHAIRMAN PETERSON: Traffic is a problem everywhere.

20 MS. GERMOVSEK: I mean, we're looking at six units  
21 per acre. That's a lot of additional residents.

22 CHAIRMAN PETERSON: I would expect the people that  
23 would live in this development probably wouldn't make as many  
24 car trips as the average family would but there, nonetheless,  
25 would be, certainly, be more traffic.

26 MS. GERMOVSEK: Well, I mean, I understand the  
27 shuttle buses, but still.

28 CHAIRMAN PETERSON: Well, they're going to have cars  
29 and they're going to drive them. But if it becomes R-1 and  
30 they decide to build houses in there, we know they'll drive

1 those, so -- and everybody has at least two.

2 Thoughts, Morgan, anything?

3 MR. McINTOSH: You know, a little bit ago, I  
4 mentioned my big concern being that we're stuck with this. If  
5 we go R-3, we're stuck with it. As I said, there is a  
6 compelling case for this sort of a product. I wouldn't argue  
7 that. And I think it sounds like they build a nice product.  
8 But I don't see it fitting. I mean, the concept might help me  
9 get there. A more concise idea of density might help me get  
10 there but I don't -- It just doesn't fit with what's around  
11 there.

12 CHAIRMAN PETERSON: And there is no doubt, I agree  
13 with Morgan as far as the need for housing like this in  
14 Concord. I think our study showed in 2010 we were -- almost  
15 17 percent of our population as 65 and older. That was in  
16 2010. I would say in 2019, we're probably well above 20  
17 percent or more. So there is a need and the concept is great.  
18 I just have a hard time visualizing what this will be and what  
19 its impact might be and as far as the location.

20 No doubt you guys do good work. I have seen it and  
21 there is know concern there on my part as far as the quality  
22 of the work.

23 But to Morgan's point, if we make this R-3 and then  
24 somehow you change your mind or something happens and you  
25 can't do what you planned, it's now R-3 to anybody that wants  
26 to do anything under R-3. So that's a concern to me.

27 Andy, anything?

28 MR. LINGENFELTER: Steph.

29 MS. LANDGRAF: Yeah?

30 MR. LINGENFELTER: Can you unclose the public

1 hearing?

2 MS. LANDGRAF: You have to do a motion to reopen it.

3 MR. LINGENFELTER: My thoughts are that maybe it  
4 would be helpful to the applicant if we were to give them a  
5 little bit more time from a preparation standpoint to provide  
6 some concepts and ideas to the, to the Zoning Commission  
7 before we do that. Now, you've closed the public hearing.  
8 Okay? So that kind of, that kind of handcuffs us. What we  
9 could do is we could make a motion to reopen the public  
10 hearing and then maybe recess the hearing until next month and  
11 give the applicant some time to provide more details, if  
12 you're interested.

13 CHAIRMAN PETERSON: And would 30 days be enough to  
14 allow you to put it together?

15 MR. LINGENFELTER: Or would you -- The point of this  
16 being that, if you're not interested and if you want us to  
17 just go ahead and vote tonight, we can do that. Okay? You're  
18 not obligated and I'm just throwing this out there, that if  
19 you feel maybe that, you know, it would be a -- you would  
20 have, at least, a little bit of a chance to help us understand  
21 what you're trying to do and maybe the residents to help  
22 understand what you're trying to do with bringing some ideas  
23 to the Board, we can do that.

24 If not, if you really -- if you just want to run  
25 with what you've got, then we can just leave -- The public  
26 hearing is closed right now. We can leave it go with that and  
27 we can vote.

28 MR. BROOKS: May I approach?

29 MR. LINGENFELTER: Sure.

30 CHAIRMAN PETERSON: Certainly.

1 MR. BROOKS: I mean, just hearing some of the  
2 comments from the residents and community members and then  
3 your great advice, we would prefer to table at this time and  
4 gather some more information, get you some informed  
5 information so you can make a better assessment of what we're  
6 doing, if that's acceptable.

7 MR. LINGENFELTER: Well, the hearing is for your  
8 benefit.

9 CHAIRMAN PETERSON: Yeah, it's for you.

10 MR. LINGENFELTER: It's for your benefit. It's not,  
11 you know -- We can make, we can make a decision tonight and be  
12 done with it.

13 MR. BROOKS: We prefer to table.

14 MR. LINGENFELTER: You know, but it's your request.  
15 I mean, this is your public hearing, your application. If you  
16 want to table it or if you want to recess the public hearing,  
17 I think that, Mr. Chairman --

18 CHAIRMAN PETERSON: We can do that.

19 MR. LINGENFELTER: -- we could have a motion to  
20 reopen the public hearing and then maybe recess it or table it  
21 even, I mean, at this point. I mean, it really is up to the  
22 applicant.

23 CHAIRMAN PETERSON: Yeah, we can, we can table it.

24 MR. LINGENFELTER: Yes? No?

25 MS. LANDGRAF: You can reopen it and recess the  
26 public hearing.

27 I do want to clarify a couple points. The only  
28 thing before the Zoning Commission tonight is an application  
29 to rezone from R-1 or R-3, not to approve any senior housing  
30 development.

1 MR. LINGENFELTER: Right.

2 CHAIRMAN PETERSON: Right.

3 MS. LANDGRAF: So regardless of what you're  
4 submitting, the gentleman is correct. If it's rezoned to R-3,  
5 they're not locked into that. So tonight's public hearing is  
6 only from R-1 to R-3. So I want you to be armed with that  
7 before you make this decision to reopen it, regardless of what  
8 is submitted.

9 MR. BROOKS: But I am hearing we might need a little  
10 more information and maybe some more information for the  
11 community, too. So I would like to provide that to you.

12 CHAIRMAN PETERSON: You would like to reopen the  
13 public hearing and request additional time?

14 MR. BROOKS: That would be great.

15 CHAIRMAN PETERSON: I'd entertain a motion to reopen  
16 the public hearing.

17 MR. McINTOSH: Mr. Chairman, I move to reopen the  
18 public hearing.

19 CHAIRMAN PETERSON: Do I have a second on that?

20 MR. LINGENFELTER: I'll second.

21 CHAIRMAN PETERSON: Okay. With that --

22 MS. LANDGRAF: You've got to vote.

23 CHAIRMAN PETERSON: We will vote on that. In favor?  
24 Aye.

25 MR. McINTOSH: Aye.

26 CHAIRMAN PETERSON: Frank, to reopen?

27 MR. SCHINDLER: Oh, aye.

28 CHAIRMAN PETERSON: To reopen.

29 MR. LINGENFELTER: Yeah, I'm --

30 MS. GERMOVSEK: To reopen the public hearing?



1 CHAIRMAN PETERSON: To reopen the public hearing.  
2 Okay. So with that, I will reopen the public hearing. And  
3 now with the public --

4 MS. LANDGRAF: You're going to have to recess the  
5 public hearing.

6 CHAIRMAN PETERSON: Pardon?

7 MS. LANDGRAF: You would have to recess the public  
8 hearing.

9 CHAIRMAN PETERSON: Yes. And do I have a motion to  
10 recess the public hearing until a further date?

11 MR. McINTOSH: Mr. Chairman, I move we recess the  
12 public hearing until a further date.

13 CHAIRMAN PETERSON: Okay. Do I have a second?

14 MR. LINGENFELTER: I'll second.

15 CHAIRMAN PETERSON: All in favor of that?

16 (Five aye votes, no nay votes.)

17 CHAIRMAN PETERSON: Heather, would we put that on  
18 the October --

19 MS. FREEMAN: That would be the October 1st meeting  
20 at 7:00 p.m.

21 CHAIRMAN PETERSON: Yeah. Does that work for you,  
22 Mr. Brooks?

23 Okay. All right. With that, then we'll recess the  
24 public --

25 MR. HAMMER: Since it's reopened, can we -- I have  
26 another question.

27 CHAIRMAN PETERSON: Yes, you can, certainly.

28 MR. HAMMER: And I am not sure if this is the right  
29 place to ask or not but I guess, in R-3, are for-profit  
30 operations allowed?

1 CHAIRMAN PETERSON: I would think any housing  
2 development is for profit. Nobody builds them to break even.

3 MR. HAMMER: Okay. So rental?

4 CHAIRMAN PETERSON: Yeah.

5 MR. HAMMER: Okay.

6 CHAIRMAN PETERSON: I would think. Is that correct?  
7 Yeah.

8 MR. HAMMER: And they also mentioned that they  
9 wanted to participate in the JEDD.

10 CHAIRMAN PETERSON: Yeah.

11 MR. HAMMER: Isn't the JEDD Crile Road, that area up  
12 there?

13 MR. McINTOSH: Correct.

14 CHAIRMAN PETERSON: Yeah. The JEDD would not apply,  
15 I don't believe.

16 MR. HAMMER: So the JEDD wouldn't apply?

17 CHAIRMAN PETERSON: Right.

18 MR. HAMMER: Okay.

19 MR. BROOKS: That was my mistake. I was following  
20 what we did with Vista Springs.

21 CHAIRMAN PETERSON: Yeah, okay. No problem.

22 So, yeah, so, obviously, they would expect to make a  
23 profit but I think anybody that builds any kind of housing  
24 expects that. So -- okay.

25 MR. HAMMER: Well, okay. I guess it's for-profit  
26 though. So a continuing for-profit operation is allowed in an  
27 R-3?

28 CHAIRMAN PETERSON: Uh-huh.

29 MR. HAMMER: Okay.

30 CHAIRMAN PETERSON: Anybody else? While the public

1 hearing is open, any other comments from anybody?

2 MS. LANDGRAF: Well, you recessed, you recessed the  
3 public hearing.

4 MR. McINTOSH: We recessed it, so --

5 CHAIRMAN PETERSON: Oh, it's recessed, okay. So  
6 we'll carry those over --

7 MS. LANDGRAF: You can comment in the Audience  
8 Participation section.

9 CHAIRMAN PETERSON: Yeah, we will have an Audience  
10 Participation section if you want to hang on, after we recess  
11 the public hearing. So the public hearing will be recessed  
12 until the October meeting, okay. So that concludes Item 1 of  
13 our agenda tonight. There will be a public section here where  
14 you can comment on other things.

15 Number 2 on our agenda tonight is approval of the  
16 meeting minutes from the August 6, 2019, meeting. Might I  
17 have a --

18 MR. McINTOSH: Mr. Chairman, I move that we accept  
19 the minutes from the August 6th, 2019, meeting.

20 CHAIRMAN PETERSON: Okay. Do I have a second on  
21 that?

22 MS. GERMOVSEK: I'll second that.

23 CHAIRMAN PETERSON: Sue seconds. All in favor of  
24 approving the minutes say "aye."

25 MR. LINGENFELTER: Abstain.

26 CHAIRMAN PETERSON: Andy abstained. He wasn't here.  
27 (Four aye votes, no nay votes, one abstention.)

28 CHAIRMAN PETERSON: Number 3 on our agenda is any  
29 correspondence that any of us had on the Zoning Commission. I  
30 will start with Morgan on my right.

1 MR. McINTOSH: I've had a lot of correspondence with  
2 the residents, wide ranging topics.

3 CHAIRMAN PETERSON: Okay. Sue, anything?

4 MS. GERMOVSEK: None.

5 CHAIRMAN PETERSON: I personally received an email  
6 from a resident in the Hunt Club about the property on  
7 Concord-Hambden Road that was rezoned residential. That would  
8 be the section from Quail Hollow down to the nursery on the  
9 south side of Concord-Hambden. That was rezoned residential  
10 but, at this point in time, we have no plans of what  
11 particularly is going to go in there, correct, Heather? We  
12 haven't seen anything.

13 MS. FREEMAN: Correct.

14 CHAIRMAN PETERSON: It will be some sort of  
15 residential but we don't know what.

16 Andy, anything?

17 MR. LINGENFELTER: Nope.

18 CHAIRMAN PETERSON: Frank?

19 MR. SCHINDLER: Nothing.

20 CHAIRMAN PETERSON: Okay. Item 4 then is our  
21 Audience Participation. Anybody here that would like to  
22 comment on anything may speak. Ma'am, would you like to  
23 speak?

24 AUDIENCE MEMBER: You know, I don't know why I have  
25 to get up there because I am not a taxpayer, I'm not a  
26 homeowner. I live with my friend. She's been out here for 20  
27 years. I have lived with her quite a few of those years.  
28 And they're talking about the traffic, which is true. A  
29 couple of times I could have almost been killed because I am  
30 coming back from church in the morning, I am going to make a

1 left onto Auburn Ridge Drive and a car passes me. And I'm  
2 thinking, "Oh, this is wonderful. Where am I supposed to go,  
3 into the car?"

4 So if we get more traffic, I mean, how much more is  
5 this going to happen where people are going to be in a  
6 (inaudible) and, in the meanwhile, you are trying to make a  
7 left and there is going to be a collision?

8 CHAIRMAN PETERSON: That's a valid concern. All I  
9 can say, in my opinion, we're going to get more traffic, no  
10 matter what. It's coming. Concord is not close to built out  
11 yet and it's growing and it's a fact of life. So it's traffic  
12 enforcement, you know. We don't control that.

13 Could I have your name and address for the record,  
14 please?

15 AUDIENCE MEMBER: I prefer not to give it because  
16 I --

17 MS. OJNIK: I will give you my address.

18 CHAIRMAN PETERSON: Okay.

19 MS. OJNIK: 6967 Auburn Ridge Drive.

20 CHAIRMAN PETERSON: Okay, fair enough.

21 MS. LANDGRAF: We need a name.

22 MS. OJNIK: Mary Ojnik, O-j-n-i-k.

23 CHAIRMAN PETERSON: Any other comments or questions  
24 from anybody in the audience about any subject?

25 AUDIENCE MEMBER: One question.

26 CHAIRMAN PETERSON: Yeah.

27 AUDIENCE MEMBER: What is the load limit on Prouty  
28 for the trucks?

29 CHAIRMAN PETERSON: Don't know.

30 AUDIENCE MEMBER 1: Is there any limit?

1 CHAIRMAN PETERSON: I don't know.

2 MS. FREEMAN: Prouty Road is a county road. I do  
3 not believe that the county has a load limit, a weight limit  
4 on any vehicles on any roads.

5 AUDIENCE MEMBER 1: Just a question.

6 CHAIRMAN PETERSON: Yes, sir?

7 AUDIENCE MEMBER 2: The speed limit is posted down  
8 there and it's between 35 and 40 until you go up by the school  
9 and then, of course, it's the school zone. But anybody that  
10 travels down there knows nobody pays any attention to it.

11 CHAIRMAN PETERSON: I travel it, I travel it almost  
12 daily and I have seen police cars sitting in driveways  
13 watching traffic and I have seen the --

14 AUDIENCE MEMBER 2: The sheriff sits right across  
15 from my house.

16 CHAIRMAN PETERSON: Right. And I have seen the  
17 speed limit warning signs that flash the speed.

18 AUDIENCE MEMBER 2: But they're not there very  
19 often.

20 CHAIRMAN PETERSON: Well, a valid concern.

21 Yes, ma'am.

22 MS. SIKULA: My name is Gayle Sikula. I am at  
23 6989 Auburn Ridge Drive. We back up to where this property  
24 is, the one that we're discussing. I do want to make sure. I  
25 know our homeowners' association had submitted a letter last  
26 Friday where all of our residents signed this.

27 And I understand your comment that this is for the  
28 benefit of Victor building but it's also for the benefit of  
29 all these taxpayers here who showed up tonight. And I lost  
30 count but I believe there might have been nine who actually

1 got up and spoke up. And I think I can speak on behalf of our  
2 little street. Whatever he proposes, we're not wanting a high  
3 density development in an area that is semi rural, not  
4 rentals. So I don't know what more he can provide. I guess  
5 we'll all be back on October 1st. But there were a lot of  
6 comments expressed tonight, a lot of concerns. And now, all  
7 of the sudden, we're coming back for another meeting. So --

8 CHAIRMAN PETERSON: It's a continuation of the  
9 meeting. Well, we'd like to hear more facts before we make a  
10 decision.

11 MS. SIKULA: All right. Thank you.

12 AUDIENCE MEMBER 3: Well, the lady in the corner --  
13 I am sorry. I don't know your name -- but you made a good  
14 point, that this meeting or this hearing is just for to decide  
15 whether it's R-1 or R-3, not the style, the color, how they're  
16 situated on the property. It's one thing, R-1 or R-3. Why is  
17 this being delayed?

18 CHAIRMAN PETERSON: Well, I think we explained that  
19 we would like to --

20 AUDIENCE MEMBER 3: The explanation didn't make  
21 sense. She made sense.

22 CHAIRMAN PETERSON: I understand that. We would  
23 like to understand more about how the use of R-3 would be if  
24 it were changed because we're not changing it yet.

25 AUDIENCE MEMBER 3: Well, all the, all the things  
26 that you say here go against what Concord Township is supposed  
27 to be, a rural atmosphere community. Do you want to live next  
28 to 200, possibly, rental units that down the line, if they  
29 can't have seniors in there, you think they're going to stay  
30 vacant? They're going to rent them to anybody. Come on.

1 Let's -- You know, dollars are dollars. You know, it's all  
2 about the money.

3 MR. McINTOSH: I think --

4 AUDIENCE MEMBER 3: It's all about the margin. If  
5 the margin is not there, we all know what happens.

6 MR. McINTOSH: I'd like, I'd like to address the  
7 point. Okay? The applicant requested that we hear more  
8 information. I, for one, took a lot of notes and I heard very  
9 consistently, you know, what everybody here said. I  
10 wouldn't -- I think it's presumptuous to assume, just because  
11 we come back to have continued conversation, that there is a  
12 yes/no vote, one way or the other. I mean, this is, this is  
13 the process of government. And just as everybody here has an  
14 opportunity to be heard, the applicant has the right as well  
15 to present, you know, the case. He heard complaint or  
16 concerns from adjacent property owners and has a right to  
17 address those concerns.

18 So this isn't really a, you know -- I mean, I took  
19 notes. I believe the other members of the Zoning Commission  
20 paid attention here. And I don't think -- I think it's  
21 presumptuous to assume that this is a delay or some kind of a  
22 tragedy of a decision that hasn't been made yet. So I think  
23 we owe it, as this Board, to be open and fair-minded as to  
24 that point.

25 And I agree that the conversation did swell around a  
26 lot of issues. But I could assure you that, at least with  
27 respect to my vote, I am going to be considering what this  
28 rezone comes at. And I think the gentleman has a chance for  
29 us to review additional information or have some of our  
30 questions answered before we make a vote.



1           AUDIENCE MEMBER 4: I would like to know about  
2 the -- How he's going to attach it to the sewers?

3           MR. McINTOSH: Yeah, and that's a very valid  
4 question. And I think, you know, that's something that he  
5 should answer and, you know, we are all going to want to hear  
6 the answer to that and make an informed decision. Continuing  
7 the conversation is only about making an informed decision as  
8 opposed to making a partial decision or, you know, incomplete.

9           CHAIRMAN PETERSON: And I would comment. I have  
10 lived in Concord for 45 years. I have seen a lot of changes  
11 in 45 years. And I grew up in Lake County and I remember 1962  
12 on Prouty Road and it was very rural out here. I live in what  
13 was farm land until probably 1980. Change is coming. Change  
14 is part of life. And we are just trying to be fair in  
15 listening to this opportunity to see whether it's a change we  
16 want or not, and it may not be but we want to hear.

17           MR. McINTOSH: I guess another point, as long as we  
18 are discussing the process of all this, I think it's important  
19 to realize that this board is a recommending body to the  
20 Trustees and, ultimately, this process repeats itself with the  
21 Trustees, who make the final decision as to whether this  
22 happens or not. We can say no and the Trustees are going to  
23 have this process again. So from the standpoint of additional  
24 meetings, there is a lot more meetings that are going to take  
25 place before this thing. If we voted this rezone down, this  
26 process would be repeated one more time and will be again,  
27 regardless of what we do here.

28           So just understand that it's multiple stages of  
29 processes and there is other, other folks that are going to  
30 hear this and that are going to make a decision about this as

1 well, not just these five people.

2 AUDIENCE MEMBER 4: Okay. Thank you.

3 CHAIRMAN PETERSON: Anybody else? Yes, ma'am.

4 MS. WEBSTER: Yes, I know change is coming but there  
5 is a big difference between 40 houses and over 200. And I  
6 wonder, you know, will a traffic study be done at all, you  
7 know, and --

8 CHAIRMAN PETERSON: We will hear more next month.

9 MS. LANDGRAF: Her name and her address.

10 CHAIRMAN PETERSON: Any other comments? Oh, could  
11 I have your name, ma'am, for the record?

12 MS. WEBSTER: Janet Webster.

13 CHAIRMAN PETERSON: Janet Webster.

14 MS. WEBSTER: Right across the street.

15 CHAIRMAN PETERSON: Okay. Yes, ma'am, again?

16 MS. HENDERSON: I'm Mrs. Henderson. I just wanted  
17 to add that this goes back many years. We fought Lockwood  
18 Ridge for years. They wanted to build condos right to our  
19 property line. We came to zoning meetings. We came to zoning  
20 meetings. We came to zoning meetings. And, finally, it was  
21 vacant property that we could purchase because, finally, after  
22 so many zoning meetings, they couldn't decide. We finally got  
23 them to stop and they couldn't continue their condos to our  
24 back yard.

25 So I just want to add that just delaying -- I know  
26 you want to see, you know, the plan of what they're going to  
27 put up but I think prolonging it is just, it's just futile. I  
28 just don't think it's going to (inaudible). Thank you.

29 CHAIRMAN PETERSON: Thank you.

30 Anything else in the Audience Participation round?

1           If not, our next meeting, as Heather mentioned, will  
2 be October 1st, 7:00 p.m. And with that, we will adjourn  
3 tonight's meeting.

4           (Whereupon, the meeting was adjourned at 8:07 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 September 2019.

*Melinda A. Melton*  
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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