

CONCORD TOWNSHIP ZONING COMMISSION  
LAKE COUNTY, OHIO  
REGULAR MEETING

Meeting held via Webex telephone conference

April 7, 2020  
7:00 p.m.

TRANSCRIPT OF PROCEEDINGS

Zoning Commission members present:

Richard Peterson, Chairman  
Frank Schindler, Member  
Andrew Lingenfelter, Member  
Hiram Reppert, Member

Also Present:

Heather Freeman, Planning & Zoning Director/Zoning  
Inspector  
Michael Lucas, Esq., Legal Counsel

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

1 7:04 p.m.

2 CHAIRMAN PETERSON: This is Rich Peterson. I would  
3 like to call to order the Concord Township Zoning Commission  
4 meeting for Tuesday, April 7, 2020. This is a little  
5 different tonight as we're doing this via telephone  
6 conference. I would like to ask that anybody who wishes to  
7 speak give their name, state your name before they speak so  
8 that Mindy can get the minutes correct.

9 We have a number of things on the agenda tonight.  
10 The first item on the agenda was to be a public hearing for  
11 Zoning Amendment Application Number 0320-1 submitted by Rylan,  
12 Inc. However, we received late notice from their legal  
13 representation that they'd like to table that application and  
14 hearing until our next meeting, May 5th. So they're  
15 requesting to do that. And can I get a motion to table this  
16 until May 5th?

17 MR. REPERT: This is Hiram. I make a motion that  
18 we table the Amendment Application 0320-1 until May 5, 2020.

19 CHAIRMAN PETERSON: Okay. Thank you. Do I have a  
20 second?

21 MR. SCHINDLER: I second. Frank.

22 CHAIRMAN PETERSON: Okay, thank you. We have a  
23 motion and a second. All in favor of tabling say "aye."

24 MR. LINGENFELTER: Excuse me, Mr. Chairman. I  
25 think, because we are doing this over the phone via conference  
26 call, I think we should do a roll call on any votes.

27 CHAIRMAN PETERSON: Okay, we can do that. All  
28 right. Go ahead then, Heather, call the roll please.

29 MS. FREEMAN: Okay. Mr. Schindler?

30 MR. SCHINDLER: Yes.

1 MS. FREEMAN: Mr. Lingenfelter?

2 MR. LINGENFELTER: Yes.

3 MS. FREEMAN: Mr. Reppert?

4 MR. REPPERT: Yes.

5 MS. FREEMAN: And Mr. Peterson?

6 CHAIRMAN PETERSON: Yes. Okay. So we have a  
7 unanimous decision to table this till May 5th.

8 Item Number 2 on tonight's agenda is a Site Plan  
9 Review Application Number 40, from Madison Real Estate  
10 Developers LLC, for a proposed 6,176 foot, square foot retail  
11 building located on Crile Road, currently known as Permanent  
12 Parcel Number 08-A-019-B-00-001-0. And in front of you, each  
13 of the Board members should have the staff report on this, as  
14 well as the site plan drawing depicting what the facility  
15 would look like and, pretty much, everything we need to make a  
16 recommendation on this. As you all probably know, this is the  
17 land that sits between the Key Bank on Crile Road and the  
18 Waffle House. And what you have in front of you depicts what  
19 that might look like.

20 And looking at the staff report that we have on  
21 this, we have all, pretty much, all the information we need  
22 here as far as anything related to what that building might  
23 be. We don't have any proposed signage yet because we don't  
24 know what's going to be in there. But if you will go to your  
25 staff report, on page 3 you will see that the Fire Department  
26 has no issues with the proposal.

27 The Lake County Stormwater Management Department has  
28 a number of items there that are listed. However, it says  
29 once zoning approval is obtained, the revise improvement  
30 drawings will need to be submitted with the details. So those

1 are details that will have to be added later if this is  
2 approved.

3 The Lake County Department of Utilities has just one  
4 item there that would be determined after the project plans  
5 are formally submitted.

6 Painesville City Water has ample infrastructure, so  
7 they're okay with it.

8 And a complete set of improvement plans is subject  
9 to detailed review by the Lake County Engineer's Office should  
10 this be approved.

11 Do we have anyone on the call representing this  
12 proposal?

13 MR. CALABRESE: Yeah, Eric Calabrese representing  
14 Madison.

15 CHAIRMAN PETERSON: Okay, very good. What's your  
16 first name, Mr. Calabrese?

17 MR. CALABRESE: Eric, E-r-i-c.

18 CHAIRMAN PETERSON: All right. Thank you, Eric.  
19 Okay, Eric, is there anything you would like to --

20 MR. SMITH: This is Jeffrey Smith from Studio CRM,  
21 the architect.

22 MR. CALABRESE: Yes.

23 CHAIRMAN PETERSON: Okay. Do you have anything you  
24 would like to add to the documents we have in front of us?

25 MR. CALABRESE: Sorry. Excuse me, Mr. Chairman.  
26 You also, I believe, have Rich Cantanzriti from Land Design  
27 Consultants, the engineer.

28 CHAIRMAN PETERSON: Okay. Thank you.

29 MR. CANTANZRITI: Yeah, surveyor and engineer.  
30 Thank you.

1           CHAIRMAN PETERSON: Okay, thank you very much.  
2 Anything that needs to be brought forward that's not in the  
3 documentation in front of us?

4           MR. CALABRESE: I don't believe at this time unless  
5 anyone on the Board has any questions.

6           CHAIRMAN PETERSON: Okay, good point. Anyone on the  
7 Board, any questions based on what you have in front of you?

8           MR. SCHINDLER: Mr. Chairman, I have no --

9           CHAIRMAN PETERSON: Okay. Andy?

10          MR. LINGENFELTER: Yeah. The only real question I  
11 have from the developers and the architects and everything is,  
12 you know, based on the comments of the departments and the  
13 agencies, are there any, are there any foreseen issues with  
14 regards to meeting the requirements if we give you guys the  
15 go-ahead on this project?

16          MR. CALABRESE: Rich, do you want to go ahead and  
17 weigh in from the engineer perspective and then, when you're  
18 done, Jeff.

19          MR. CANTANZRITI: Yeah. I mean, everything, we went  
20 ahead and checked all the boxes on the application. We are  
21 ready to submit to the County Utilities Department, Engineers  
22 Department, you know, Water and Stormwater and I've already  
23 begun that process. You know, I sent over a preliminary set.  
24 So we've got the calculations for the storm sewer ready to go.  
25 You know, we'll have to fill out some forms and some fees and  
26 we're -- I don't see any issues.

27          CHAIRMAN PETERSON: Okay. Hiram, anything from you?

28          MR. REPPERT: No, sir.

29          CHAIRMAN PETERSON: Okay. And it looks like  
30 everything that I have looked at here is pretty complete and

1 the planning all looks pretty much in order, so I don't have  
2 any issues. Is there any further discussion before we make a  
3 motion?

4 MS. FREEMAN: Hi, this is Heather. I just have a  
5 question. Do we have any idea who the tenant would be in the  
6 building yet?

7 MR. CALABRESE: Heather, it's Eric. No, not at this  
8 time. Obviously, we're just doing the preliminary design and  
9 things of that nature. Once we start throwing up -- Once we  
10 get approval from you guys, we will probably throw a sign up  
11 saying "Coming soon. For information, call us." And once we  
12 kind of get an idea, I'd be happy to share that with you.

13 MS. FREEMAN: Thank you.

14 CHAIRMAN PETERSON: Very good. If there is no  
15 further discussion on this topic, then do I have a  
16 recommendation or a motion for a conditional approval?

17 MR. LINGENFELTER: Mr. Chairman, this is Andy  
18 Lingenfelter.

19 CHAIRMAN PETERSON: Yes.

20 MR. LINGENFELTER: I make a motion in the  
21 affirmative to accept the Site Plan Review Application  
22 Number 40 for Madison Real Estate Developers LLC for a  
23 proposed 6,176 square feet retail building located on Crile  
24 Road, currently known as Permanent Parcel Number  
25 08-A-019-B-00-001-0.

26 CHAIRMAN PETERSON: Okay. Thank you, Andy. Do  
27 I have a second?

28 MR. LUCAS: Mr. Chairman, this is Mike Lucas. We  
29 want to make that approval, as indicated in the staff report,  
30 conditioned upon a plat of lot consolidation to be filed prior

1 to the zoning permit being issued.

2 CHAIRMAN PETERSON: Okay.

3 MR. LINGENFELTER: Good point, Michael. Sorry I  
4 missed that.

5 MR. LUCAS: That's all right.

6 MR. CALABRESE: And just so you guys know -- Eric  
7 Calabrese again -- we don't oppose that at all. We are fine  
8 with that because I know that was a stipulation from the  
9 get-go.

10 CHAIRMAN PETERSON: Okay, very good. Thank you,  
11 Eric.

12 MR. LINGENFELTER: So let me revise my motion then  
13 to include the stipulations in the site plan review and that  
14 those conditions will be met.

15 CHAIRMAN PETERSON: Okay, very good. Thank you.  
16 Now do we have a second?

17 MR. SCHINDLER: I second, Mr. Chairman. This is  
18 Frank.

19 CHAIRMAN PETERSON: Thank you, Frank. So we have a  
20 motion and a second to do conditional approval of this  
21 request. Heather, could you call the roll please?

22 MS. FREEMAN: Mr. Peterson?

23 CHAIRMAN PETERSON: Yes.

24 MS. FREEMAN: Mr. Reppert?

25 MR. REPERT: Yes.

26 MS. FREEMAN: Mr. Lingenfelter?

27 MR. LINGENFELTER: Yes.

28 MS. FREEMAN: Mr. Schindler?

29 MR. SCHINDLER: Yes.

30 CHAIRMAN PETERSON: Very good. So the request is

1 conditionally approved.

2 So we will move on to Item 3 on the agenda, which is  
3 the approval --

4 MR. CALABRESE: Thank you, guys.

5 CHAIRMAN PETERSON: -- of the Zoning Commission  
6 meeting for March 3, 2020.

7 MR. SCHINDLER: You are welcome.

8 MS. FREEMAN: Excuse me, Mr. Chairman. I did submit  
9 a revised agenda to the Board.

10 CHAIRMAN PETERSON: Okay.

11 MS. FREEMAN: We do need to set a public hearing for  
12 a Zoning Map amendment and preliminary plan application. Does  
13 anyone have that in front of them, the revised agenda?

14 CHAIRMAN PETERSON: I have the agenda that came in  
15 the mail.

16 MS. FREEMAN: Unfortunately, we amended the agenda  
17 to include another action item. We do need to set a public  
18 hearing day for a Zoning Map amendment.

19 MR. LINGENFELTER: Yeah, I have it. Heather, this  
20 is Andy. I have it.

21 MS. FREEMAN: Okay. It's just squeezing in one  
22 other item before the one you have printed, Mr. Chairman. I  
23 apologize.

24 CHAIRMAN PETERSON: Okay.

25 MR. LINGENFELTER: Mr. Chairman, I will make a  
26 motion that we set a public hearing for Zoning Map Amendment  
27 and Preliminary Plan Application Number 0320-2, submitted by  
28 Sommers Real Estate Group LLC, for a proposed Residential  
29 Conservation Development, R-1, RCD District, for approximately  
30 29.6 acres of land owned by Colburn Development LLC, located



1 off Colburn Road and currently known as Permanent Parcel  
2 Numbers 08-A-012-B-00-018-0 and 08-A-012-B-00-009-0.

3 CHAIRMAN PETERSON: Thank you, Andy. Do I have a  
4 second on that motion?

5 MR. SCHINDLER: This is Frank. I second that  
6 motion.

7 CHAIRMAN PETERSON: So we have a motion and a  
8 second. Heather, could you call the roll please.

9 MS. FREEMAN: Just to clarify. That is setting the  
10 hearing for May 5th?

11 CHAIRMAN PETERSON: Yes.

12 MR. LINGENFELTER: As long as that gives us the  
13 appropriate notification phase, yes.

14 MS. FREEMAN: Yes, it does.

15 MR. LINGENFELTER: Okay. Then we're good to go.

16 MS. FREEMAN: Okay. Mr. Reppert?

17 MR. REPERT: Yes.

18 MS. FREEMAN: Mr. Lingenfelter?

19 MR. LINGENFELTER: Yes.

20 MS. FREEMAN: Mr. Schindler?

21 MR. SCHINDLER: Yes.

22 MS. FREEMAN: And Mr. Peterson?

23 CHAIRMAN PETERSON: Yes.

24 Okay. So that's approved accordingly.

25 And now we move on to, I believe, the minutes of the  
26 March 3rd Zoning Commission meeting. You should have those in  
27 front of you. Do I have a motion to approve those minutes?

28 MR. SCHINDLER: Mr. Chairman, I so move that we  
29 approve the minutes of March 3rd Zoning Commission meeting.

30 CHAIRMAN PETERSON: Thank you, Frank. Do I have a

1 second?

2 MR. LINGENFELTER: This is Andy. I'll second.

3 CHAIRMAN PETERSON: Thank you. Heather, would you  
4 call the roll?

5 MS. FREEMAN: Sure. Mr. Schindler?

6 MR. SCHINDLER: Yes.

7 MS. FREEMAN: Mr. Lingenfelter?

8 MR. LINGENFELTER: Yes.

9 MS. FREEMAN: Mr. Reppert.

10 MR. REPERT: I abstain. I was not present.

11 MS. FREEMAN: And Mr. Peterson?

12 CHAIRMAN PETERSON: Yes.

13 MS. FREEMAN: Minutes are approved.

14 CHAIRMAN PETERSON: Okay. We also have in front  
15 of us the minutes from the special meeting also held on  
16 March 3, 2020. Do I have a motion to approve those minutes?

17 MR. SCHINDLER: Mr. Chairman, this is Frank --

18 MR. LINGENFELTER: Mr. Chairman -- Go ahead, Frank.

19 MR. SCHINDLER: Okay. Mr. Chairman, I move that we  
20 accept the minutes of the March 3, 2020, special meeting as  
21 presented.

22 CHAIRMAN PETERSON: Thank you. Do I have a second  
23 on that?

24 MR. LINGENFELTER: This is Andy. I'll second.

25 CHAIRMAN PETERSON: Thanks, Andy.

26 Heather, call the roll, please.

27 MS. FREEMAN: Mr. Peterson?

28 CHAIRMAN PETERSON: Yes.

29 MS. FREEMAN: Mr. Reppert?

30 MR. REPERT: Abstain.

1 CHAIRMAN PETERSON: Mr. Lingenfelter?

2 MR. LINGENFELTER: Yes.

3 MS. FREEMAN: And Mr. Schindler?

4 MR. SCHINDLER: Yes.

5 CHAIRMAN PETERSON: Okay. Thank you. Minutes are  
6 approved.

7 Correspondence report from Zoning Commission  
8 members. I will start with Hiram. Anything, Hiram?

9 MR. REPPERT: None.

10 CHAIRMAN PETERSON: Okay. Andy?

11 MR. LINGENFELTER: Nothing for me.

12 CHAIRMAN PETERSON: Okay. Frank?

13 MR. SCHINDLER: Nothing for me, Mr. Chairman.

14 CHAIRMAN PETERSON: Okay. And I had nothing either.  
15 So no correspondence report for the month.

16 As far as audience participation, is there anyone on  
17 this call from the audience that would like to speak or say  
18 anything at this time? Anybody out there? Okay. Well, with  
19 no response, I will assume there is no audience participation  
20 for this particular meeting.

21 The next order of business is to elect the  
22 chairperson and vice chairperson for the coming year.  
23 Normally, this would have been Sue, with Hiram up for vice  
24 chairman; however, Sue has some things going on right now and  
25 she would like to pass on it for a year. So, Hiram, would you  
26 be willing to step up as chairman?

27 MR. REPPERT: Sure.

28 CHAIRMAN PETERSON: Okay. Then I guess, Heather,  
29 can we put Sue down as vice chairperson?

30 MS. FREEMAN: You have to nominate her for vice. I

1 mean, can you remind me, Mike. Do we vote on this?

2 MR. LUCAS: Yeah. You make your nomination for  
3 chairman and then you close the nominations if nobody else is  
4 going to be nominated for chairman and then you vote on the  
5 appointment of the chairperson. After that's completed, then  
6 you proceed to the vice chair.

7 CHAIRMAN PETERSON: Okay. We can do it that way.  
8 So, Hiram, you are willing to serve. Would somebody like to  
9 nominate Hiram for chairperson for the coming year?

10 MR. SCHINDLER: Mr. Chairman, this is Frank. I move  
11 to nominate Hiram for chair for the year.

12 CHAIRMAN PETERSON: Okay. And, Hiram, do you accept  
13 that nomination?

14 MR. REPERT: Yes. Thank you, Frank.

15 CHAIRMAN PETERSON: Okay. Heather, can we vote on  
16 that, please.

17 MR. SCHINDLER: You're welcome.

18 MS. FREEMAN: I can do a roll call vote on that if  
19 there's no other nominations.

20 CHAIRMAN PETERSON: Let's do a roll call on that  
21 one, right.

22 MS. FREEMAN: Okay. Mr. Lingenfelter?

23 MR. LINGENFELTER: I missed you, Heather. What did  
24 you say? I am sorry. Was that me?

25 MS. FREEMAN: Yeah. Mr. Lingenfelter?

26 MR. LINGENFELTER: Yes.

27 MS. FREEMAN: Mr. Peterson?

28 CHAIRMAN PETERSON: Yes.

29 MS. FREEMAN: Mr. Schindler?

30 MR. SCHINDLER: Yes.

1 MS. FREEMAN: Mr. Reppert?

2 CHAIRMAN PETERSON: Okay. Hiram, you're the  
3 chairperson for the coming year.

4 Now for vice chairperson, nominations?

5 MR. SCHINDLER: Mr. Chairman, this is Frank. I so  
6 move that we move Sue into vice chair for next year -- this  
7 year, rather.

8 CHAIRMAN PETERSON: Okay. Any other nominations?  
9 Okay. So the nomination that we have is for Sue as vice  
10 chairperson for the coming year. Heather, can you call the  
11 roll on that one, please.

12 MS. FREEMAN: Mr. Schindler?

13 MR. SCHINDLER: Yes.

14 MS. FREEMAN: Mr. Lingenfelter?

15 MR. LINGENFELTER: Yes.

16 MS. FREEMAN: Mr. Reppert?

17 MR. REPPERT: Yes.

18 MS. FREEMAN: And Mr. Peterson?

19 CHAIRMAN PETERSON: Yes.

20 Okay. Very good. Then in the coming year starting  
21 next month, Hiram will be the chairperson for the coming year,  
22 with Sue as the vice chairperson.

23 Any other items before we adjourn the meeting for  
24 tonight?

25 MR. SCHINDLER: Nothing from me, Mr. Chairman. This  
26 is Frank.

27 CHAIRMAN PETERSON: Okay. Andy, you good?

28 MR. LINGENFELTER: Yes, nothing from me. Thank you.

29 CHAIRMAN PETERSON: Okay. Hiram?

30 MR. REPPERT: Nothing here.

1           CHAIRMAN PETERSON: And, Heather, anything from you?

2           MS. FREEMAN: No, other than I don't know what next  
3 month is going to look like. We're probably going to be doing  
4 another kind of Webex type of meeting. I don't know that we  
5 will be able to meet in person, depending on what's going on  
6 with the pandemic. Hopefully, we will be able to manage  
7 public participation and still have some visuals. Hopefully,  
8 we can do a video because with the, with the hearing that's  
9 set with the RCD rezone, we're going to want to be able to see  
10 probably some images. So I am going to be in contact with you  
11 guys over the next month to maybe test some things out or just  
12 see how things will work for the May meeting.

13           CHAIRMAN PETERSON: Very good.

14           MR. LINGENFELTER: Heather, is it your position at  
15 this point that we are not going to be able to meet at Town  
16 Hall next -- in May?

17           MS. FREEMAN: I am not sure. Depending on what  
18 happens with the state of Ohio and the governor's orders, I  
19 don't know that we will be, you know, with them limiting to no  
20 more than ten people, I don't know how we would be able to  
21 comply with that with a public hearing. So I am not sure at  
22 this point whether we could meet in person or not. We'll  
23 probably have to -- It's kind of a wait and see as it gets a  
24 little closer or maybe another conversation with legal counsel  
25 on how we might be able to do that or not.

26           MR. LINGENFELTER: Yeah, just my personal feeling on  
27 this is that if we, if we cannot meet in person and we're  
28 looking at a, at a public hearing, you know, I think that  
29 might be pretty difficult to manage in a conference call. So  
30 maybe we should think about, you know, maybe just due to the

1 circumstances, maybe we should rethink any public hearing for  
2 next, you know, for next, for our next regularly scheduled  
3 zoning meeting. If we can't meet, I would think that maybe we  
4 should extend or table any of those public hearings until we  
5 can actually be at Town Hall.

6 CHAIRMAN PETERSON: Good point, Andy.

7 MS. FREEMAN: That would maybe only work if the  
8 applicant was agreeable, you know, to tabling or extending.  
9 So we have to stay in compliance with Ohio Revised Code.

10 MR. LINGENFELTER: Right.

11 MR. SCHINDLER: Yeah, this is Frank. I believe  
12 legal counsel will probably say it's up to the applicant to  
13 decide whether they want to prolong this. It's up to their  
14 decision and I am sure they will agree with that. So --

15 MR. REPERT: I am not sure.

16 CHAIRMAN PETERSON: Okay. If we have no other  
17 business, then let's adjourn the meeting for the evening.  
18 Thank you, everyone. The next meeting is May 5th.

19 (Whereupon, the meeting was adjourned at 7:27 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 14th day of April 2020.

Melinda A. Melton  
Melinda A. Melton  
Registered Professional Reporter

Notary Public within and for the  
State of Ohio

My Commission Expires:  
February 4, 2023

