

CONCORD TOWNSHIP ZONING COMMISSION  
LAKE COUNTY, OHIO  
REGULAR MEETING

Meeting held via Webex Teleconference  
and YouTube Live Streaming

September 1, 2020  
7:00 p.m.

TRANSCRIPT OF PROCEEDINGS

Zoning Commission members present:

Hiram Reppert, Chairman  
Andrew Lingenfelter, Vice Chairman  
Richard Peterson, Member  
Frank Schindler, Member  
Rich Iafelice, Member (via Webex)

Also Present:

Heather Freeman, Planning & Zoning Director/Zoning  
Inspector  
Abigail Bell, Esq., Legal Counsel (via Webex)

**Melton Reporting**  
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7:02 p.m.

1  
2 CHAIRMAN REPPERT: I'd like to call to order the  
3 Concord Township Zoning Commission meeting for Tuesday,  
4 September 1, 2020. Before we get into the agenda, I would  
5 like to introduce all the members. Some of you are on the web  
6 and some of them are here. So let's start far left, that is  
7 Frank Schindler and then near left is Andrew Lingenfelter. To  
8 my right is Rich Peterson and far right is -- What's your name  
9 again? Heather, Heather, Heather. I don't even know your  
10 last name, Heather. Freeman, yes, I do.

11 MS. FREEMAN: Zoning Inspector, yes.

12 CHAIRMAN REPPERT: Also our recorder is Mindy  
13 Melton. She is here. We have legal counsel. Oh, I forgot.  
14 We have a member of the Board that's on the telephone, Rich  
15 Iafelice. He's joining us on the telephone. I'd also would  
16 like to congratulate him on a grandbaby.

17 MR. IAFELICE: Thank you.

18 CHAIRMAN REPPERT: I don't know if it's a boy or  
19 girl.

20 MR. IAFELICE: It's a boy.

21 CHAIRMAN REPPERT: It's a boy, okay.

22 MR. IAFELICE: Thanks very much.

23 CHAIRMAN REPPERT: Legal counsel is on the phone,  
24 Abigail Bell.

25 MS. BELL: Hi there.

26 CHAIRMAN REPPERT: Good evening. And I think that's  
27 it for introductions.

28 First on the agenda is a public hearing for Zoning  
29 Amendment Application 0320-1 submitted by Rylan, Inc., for the  
30 -- a bunch of text amendments. And, again, Heather has

1 received an email indicating that they would like to postpone  
2 or table that public hearing for another month, I assume. So  
3 if I could please have a motion to table the public hearing  
4 for Zoning Amendment Application 0320-1.

5 MR. LINGENFELTER: Mr. Chairman, I will make a  
6 motion that we table the public hearing for Zoning Amendment  
7 Application Number 0320-1 submitted by Rylan, Inc., per the  
8 applicant's request.

9 CHAIRMAN REPPERT: Do I have a second?

10 MR. PETERSON: I'll second that motion.

11 CHAIRMAN REPPERT: Second. Do you want to call roll  
12 or do we just go aye?

13 MS. FREEMAN: You can do all in favor.

14 CHAIRMAN REPPERT: All in favor? Opposed, same sign  
15 or nay?

16 (Five aye votes, no nay votes.)

17 CHAIRMAN REPPERT: Okay, it is tabled.

18 Since everybody else is doing it, I'm going to do  
19 it, too. (Mr. Reppert put on his mask.)

20 Okay. Second on the agenda is the Site Plan Review  
21 Application Number 41, submitted by Corrigan Capital LLC for a  
22 proposed medical office building located at 8003 Auburn Road  
23 and the current parcel number is 08-A-020-0-00-010-0. And I'm  
24 sure all those numbers mean something, right? Okay. Do we  
25 have the applicant here? Would you step up and state your  
26 name and your business?

27 MR. JOYCE: Hi. How is everybody doing tonight?

28 CHAIRMAN REPPERT: Wonderful.

29 MR. SCHINDLER: Fine.

30 MR. JOYCE: Good. My name is Peter Joyce. I am the

1 owner of Corrigan Capital. My wife is Dr. Tina Joyce, a  
2 family physician. About 13 years ago, we opened up our  
3 practice in Concord. We always wanted to own our own office  
4 building. So nine years almost to the day, I was standing  
5 here to build our current building on 8007 Auburn, which is  
6 the same lot. And what we'd like to do is expand the services  
7 we're offering by putting up, by putting up a four-unit office  
8 building across the parking lot, basically. That way, we can  
9 offer some additional services. We have an independent  
10 pharmacy we would like to move into the space. We have Quest  
11 Labs is interested in the space. The audiologist we currently  
12 have in our building right now is actually expanding beyond  
13 the space and she wants to have some more, so she would move  
14 into the new building type of thing. And the idea is to lease  
15 the last bit of it to a specialist, probably.

16 CHAIRMAN REPPERT: Okay.

17 MR. JOYCE: It's about 5,800 square feet. We want  
18 to build it in the same architectural style as our current  
19 building. And what we do, if we get approval, we hope to  
20 break ground next spring and have it up and running before the  
21 snow flies next year.

22 MR. LINGENFELTER: Good for you.

23 MR. JOYCE: So that's kind of the brief overview. I  
24 know that there are some questions from -- on the staff  
25 report. Do you want me to go through those and address a few  
26 of them because I know there is a few that kind of pop out?  
27 There are some details we need to get into our plans that are  
28 missing. We have to work on those a little bit. But there is  
29 Number 8 on the zoning staff comments about the existing  
30 dumpster enclosure is missing the required gate. I think,

1 when we originally built it, a gate wasn't required. So we  
2 will put the gate up now.

3 There is also a suggestion of putting in additional  
4 dumpster pad. I don't think that's necessary. Our current  
5 enclosure is 10 by 10 and I think it would be sufficient  
6 enough to service both buildings. I don't know. I have a  
7 photo of the enclosure with the current garbage can in it, if  
8 you want me to show it to you.

9 CHAIRMAN REPPERT: No, that's all right.

10 MR. JOYCE: All right. Perfect.

11 MR. LINGENFELTER: Let me ask you this, Peter. Is  
12 there anything on the list -- Obviously, there is quite an  
13 extensive list --

14 MR. JOYCE: Yes.

15 MR. LINGENFELTER: -- in the staff recommendations,  
16 which is not typical, okay, not typical.

17 MR. JOYCE: Okay.

18 MR. LINGENFELTER: But it's not unusual either but  
19 it's -- Is there anything on this list that they've  
20 highlighted that you're aware of that you're going to have  
21 difficulty meeting?

22 MR. JOYCE: Well, probably the biggest one is the  
23 building color I have picked out. What I would like to do is  
24 have it blue with black shingles and white trim. So our  
25 current building is black shingled, white trim and green.

26 MR. LINGENFELTER: And green?

27 MR. JOYCE: It's green, yeah. It's kind of a pale  
28 -- It's, actually, it was the color of my grandparents' house.  
29 That was the inspiration behind it.

30 MR. LINGENFELTER: There you go.

1 MR. JOYCE: And I saw a blue house that I thought  
2 looked really, really sharp and I got, I found a picture in  
3 CertainTeed's catalog of what I was trying to accomplish, and  
4 this is the siding and stuff. I don't know. I can -- If you  
5 guys can look at it and show it to you. That's what I would  
6 like to do with it. So it's got the black shingles, the white  
7 trim, we have the lap siding and then the reverse gables would  
8 be the shake look to it. And I had originally gone with a  
9 black roof because that's the current color, the black roof.  
10 Well, that photo's got, I think it's like a dark gray,  
11 charcoal gray. I think that looks even better. I kind of  
12 would like to go with that.

13 So I think that's, probably, that's the one thing  
14 that stands out to me, unless there is something else that you  
15 guys see in the notes.

16 CHAIRMAN REPPERT: Well, Heather, do you want to say  
17 anything about this since it's a staff comment? Are we going  
18 to --

19 MR. PETERSON: The blue.

20 CHAIRMAN REPPERT: The blue.

21 MS. FREEMAN: Well, I didn't see what he had.

22 MR. JOYCE: I am not sure the digital representation  
23 we gave her --

24 MR. PETERSON: It's not a bright blue.

25 MS. FREEMAN: Oh, okay, yeah.

26 MR. JOYCE: It doesn't look as good. And then I  
27 know, when I printed it out, the color was even a little bit  
28 more off.

29 MS. FREEMAN: Yeah, that's what's difficult with  
30 printing it out.

1 MR. JOYCE: Exactly. So I found that the other day  
2 and I'm like, that's what I was going for.

3 MS. FREEMAN: Well, I think it would be up to this  
4 Board to determine whether or not that met the intent of the  
5 regulation that someone cited there as far as, you know, we  
6 are kind of stepping into the design review portion of it.

7 MR. LINGENFELTER: Right.

8 MS. FREEMAN: So just to remind the Board as well  
9 that we will have to vote separately, one vote for the site  
10 plan, one for design.

11 CHAIRMAN REPPERT: Right.

12 MS. FREEMAN: It's fine if you want to talk about  
13 them together. So the roof color, you are saying --

14 MR. JOYCE: I actually like the roof color in that  
15 photo better, so I'd like -- that looks to me it's more dark  
16 gray than black and I think that looks a little better than  
17 the black.

18 MS. FREEMAN: What is the existing building?

19 MR. JOYCE: The existing building is black. And  
20 then I don't know if you want, I've got the color chip, the  
21 CertainTeed thing if that's necessary or not.

22 CHAIRMAN REPPERT: Any other showstoppers that  
23 you --

24 MR. JOYCE: Not that I'm aware of. I think that was  
25 the, the big one. I just covered up my notes.

26 MR. LINGENFELTER: Well, let's get your, let's get  
27 your feelings on that.

28 MR. JOYCE: Okay.

29 MR. LINGENFELTER: I mean, if we were to be okay  
30 with everything but your color choice, I mean, is that a

1 showstopper for you? I mean, is that something you're really  
2 going to kind of dig your heels in on?

3 MR. JOYCE: It would not be a showstopper but here's  
4 what I found is, when I -- When someone calls our office and  
5 we say we're the green office building, they know exactly  
6 where we're at, and I would like to be able to do this with  
7 the current building. You know, I could pick out a nice gray  
8 or a tan or something like that, probably go with a gray look,  
9 but I would prefer the blue if possible.

10 MR. LINGENFELTER: Personally, as long as the  
11 building is a nice building and it's attractive  
12 architecturally, you know, unless we're talking pink with  
13 purple polka-dots, I am really not going to get caught up, you  
14 know, I am not going to get myself wrapped around the axle  
15 over green versus blue.

16 MR. JOYCE: Gotcha.

17 MR. LINGENFELTER: As long as it's a tasteful  
18 situation. But we, you know, we'll obviously discuss that  
19 when we get to --

20 MR. JOYCE: I have some photos of my current  
21 building, if you want, on my phone. I can pull them up if you  
22 want and imagine that blue, if that would be helpful for you.

23 MR. LINGENFELTER: No, we're good.

24 MR. JOYCE: Okay.

25 CHAIRMAN REPPERT: Now about Number 1 under the  
26 Design Standards, the north wall does not carry the same  
27 design features.

28 MR. JOYCE: Oh, yes, so there is a base of stone on  
29 the front of the building. We'll wrap that all the way  
30 around. And then what I think we'll do is lap siding around

1 the building and then we'll put the shake in reverse gables.  
2 And there is a couple eaves where the main entrances are. I'd  
3 like to put the shake next to the entrances also where it's  
4 indented into the, into the building, if that makes sense.  
5 Hold on a second. Let me -- I think it's the second-to-last  
6 page that you guys have, A 102, at least it was the second-to-  
7 last one on mine, that's the elevations for the building.

8 CHAIRMAN REPPERT: So north, so --

9 MR. JOYCE: Yeah. So the north elevation, we would  
10 put the stone, we would wrap the stone around the base.

11 CHAIRMAN REPPERT: All right.

12 MR. JOYCE: And then you see the lap siding there?  
13 And then if you look at, let's say, the south elevation, you  
14 will have the lap siding on that side as well and then just  
15 the shake up under the reverse gables there, the triangles. I  
16 think they're reverse gables. I am not an architect by trade  
17 or a general contractor.

18 CHAIRMAN REPPERT: Any other of the items on the  
19 utilities, water, fire?

20 MR. JOYCE: So, no, no water issues or power. There  
21 is some confusion with the Lake County Sewer and Water  
22 District though. They show the design. They have their plans  
23 a little different than what we show. They show the runoff  
24 from our property all going into the ponds in front of it.  
25 Those are outdated plans. They actually made us revise them  
26 so none of the water on our property would go into our runoff  
27 ponds. We were supposed to divert it directly into the  
28 ditches. We gave them those revised plans but they lost a  
29 copy of them. They came back and came after us about two  
30 years ago to make the changes. We dug them out, sent them a

1 photo of the revised drawings that they had approved, signed  
2 off on and sent them the photo and we had never heard back  
3 from them again. So I guess what we'll have to do is probably  
4 go into our files, dig out the final approval drawings they  
5 did and have -- because, basically, the guy who was -- I think  
6 there is someone new since I have done this last time. The  
7 guy basically said our ponds would be humongus if we had the  
8 runoff from all the properties around us in them. So they had  
9 us design it just to catch the buildoff -- the runoff from the  
10 buildings and the parking lot.

11 And the idea was, when we did the first building,  
12 because we actually put the pad in for the second building and  
13 the retention pond. We figured while we had the bulldozer in  
14 there, I'd eat the cost to do it. We're going to have to do a  
15 little rejiggering on them because we're putting in a slightly  
16 bigger building. So we're going to make the retention pond a  
17 little bit bigger on the side that's got the new building on  
18 it and shift the building back a few feet away from the street  
19 to allow for that.

20 CHAIRMAN REPPERT: Okay. What is, on page, on  
21 Sheet C5, you have a vehicle refueling tank with dike.

22 MR. JOYCE: I am thinking that's for the  
23 construction guys.

24 CHAIRMAN REPPERT: Oh, okay.

25 MR. JOYCE: Would be, I think that's, yeah, I  
26 believe that's just for -- we're not going to have any -- I  
27 think that's just for like their cement mixers or whatnot.

28 MR. LINGENFELTER: What page?

29 CHAIRMAN REPPERT: C5.

30 MR. LINGENFELTER: C5, okay.

1 MR. JOYCE: Yeah, I think those are the --  
2 CHAIRMAN REPPERT: In the upper --  
3 MR. JOYCE: I am sorry.  
4 CHAIRMAN REPPERT: Right next to the retention pond.  
5 MR. JOYCE: Yeah, yeah.  
6 MR. LINGENFELTER: Gotcha, okay.  
7 MR. JOYCE: Yeah, that's just for the construction.  
8 That's not nothing permanent.  
9 CHAIRMAN REPPERT: But there is enough room in the  
10 back and the east side of the lot to take all this water?  
11 MR. JOYCE: On the, on the --  
12 CHAIRMAN REPPERT: You're saying both the existing  
13 building and the new building are going to flow to the east.  
14 MR. JOYCE: They're going to flow into the two  
15 retention ponds there. So how it's actually designed is the  
16 retention pond will be on the south side of the property,  
17 collects all the water, and then the retention pond on the  
18 north side actually catches the overflow from that retention  
19 pond and equals it up. And then, and then from that second  
20 retention pond is where it gets slowly let out into the, into  
21 the ditches.  
22 CHAIRMAN REPPERT: Okay. You have an emergency  
23 spillway. Has that ever been utilized?  
24 MR. JOYCE: Not even close.  
25 CHAIRMAN REPPERT: I didn't think so.  
26 MR. JOYCE: Not even close.  
27 CHAIRMAN REPPERT: I have passed it and they both  
28 look pretty dry.  
29 MR. JOYCE: Yeah. As a matter of fact, until we had  
30 the rain, you can almost walk into the second one, basically.

1 I am assuming it will be a little bit fuller with two  
2 buildings and a little bit additional parking lot now but,  
3 yeah, never even come close to even the overflow that's in  
4 below the emergency spillway. It hasn't even come close to  
5 coming over the top on that.

6 MR. LINGENFELTER: Yeah, but you're also going to be  
7 doubling the amount of impervious surfaces.

8 MR. JOYCE: Yeah, exactly.

9 MR. LINGENFELTER: So I am sure that's going to have  
10 some impact.

11 MR. JOYCE: It will be. And that's, one of the  
12 things we will be doing is expanding that. The north side  
13 retention pond will be bigger.

14 MR. LINGENFELTER: Right.

15 MR. JOYCE: So assuming they did the proper  
16 calculations to figure that part out.

17 CHAIRMAN REPPERT: In looking over these plans, I  
18 looked at the landscape plan and then also C1 and some of the  
19 islands don't match up in size.

20 MR. JOYCE: That is -- That's one of the things that  
21 I have to get rectified that's on the list.

22 CHAIRMAN REPPERT: To make everything match.

23 MR. JOYCE: Yes, exactly. So, basically, we're kind  
24 of trying to do just it's almost a mirror image of what we  
25 currently have. So, right now, we have three exterior lamp  
26 posts for the property kind of on each corner of the building.  
27 The new building, we'll do four because it's going to have a  
28 back parking lot as well, kind of on each corner of the  
29 building as well. And they're 12 foot tall. The brand or the  
30 kind that we have, it's made by Mel Northey out of Texas.

1 They don't carry this line anymore that we currently have but  
2 they have stuff that's very similar. They do have the same  
3 kind of plastic cap, just the base of the pole will look a  
4 little bit different.

5 CHAIRMAN REPPERT: Frank, do you have any questions?

6 MR. SCHINDLER: No, sir, Mr. Chairman, no.

7 CHAIRMAN REPPERT: Rich on the phone?

8 MS. FREEMAN: He's muted. Hold on one second.

9 MR. IAFELICE: So forgive me. I am sorry, yeah, I  
10 am unmuted. Forgive me if I missed something through the  
11 sound. It wasn't quite, totally, I couldn't quite hear  
12 everything. But my first, just a comment to the staff. I  
13 found the review comments very -- quite thorough, very  
14 thorough and left me like, well, it's covered everything, I  
15 must say.

16 My only comment, I think, to the applicant was  
17 related to the drainage. So it looks like the preexisting  
18 condition was for the drainage that does travel north and  
19 then, and then westerly along the northerly property line to  
20 Auburn Road. Storm water management department is indicating  
21 something different. So it looks like that has to be  
22 reconciled because I don't think the drainage can be  
23 accommodated any other way. It can't get into the basin very  
24 easily.

25 But just a compliment to the thoroughness of the  
26 review comments by the staff. That's all I have,  
27 Mr. Chairman.

28 CHAIRMAN REPPERT: Okay. Thank you.

29 Mr. Peterson.

30 MR. PETERSON: I see nothing of concern.

1 CHAIRMAN REPPERT: Andy, anything else?

2 MR. LINGENFELTER: No, no, I just, as long as the  
3 applicant is confident that they will be able to meet with all  
4 the comments and the recommendations, I don't see any other  
5 issues. It's nice to see people expanding in the community,  
6 as far as I am concerned.

7 MR. JOYCE: We're trying. I built in the middle of  
8 the last recession, so I figured, what the heck, try again.

9 CHAIRMAN REPPERT: Fine. We'll do it again.

10 MR. PETERSON: Build in the middle of a pandemic,  
11 okay.

12 MR. JOYCE: It's made for interesting comparisons  
13 from the bank and the financial aspect, I have to say.

14 MS. FREEMAN: Excuse me, Mr. Chairman. If you don't  
15 mind, on one of the items that staff was recommending and it  
16 sounded like you feel like -- the additional dumpster  
17 location.

18 MR. JOYCE: Yes.

19 MS. FREEMAN: If you are not willing to do that,  
20 then -- that was just a recommendation -- let the Board know  
21 that you are intending not to do that. That way, they don't  
22 put that in on the approval.

23 MR. JOYCE: Okay.

24 MS. FREEMAN: But just keep in mind, you know, in  
25 the future, if you need it --

26 MR. JOYCE: Well, I --

27 MS. FREEMAN: It seems like you have an area to  
28 accommodate that near the new building, so --

29 MR. JOYCE: Gotcha. I think --

30 MS. FREEMAN: You can easily add one down the line

1 should you decide to do that.

2 MR. JOYCE: The goal is, ultimately, we would like  
3 to put one more building on the back of the property. At that  
4 point in time, we'd probably have to address another dumpster  
5 area for the third building but I think, at this point in  
6 time, we're okay with just the one area.

7 CHAIRMAN REPPERT: Okay. So we go with a green  
8 building, a blue building, and what's the third one?

9 MR. JOYCE: Quite honestly, there is this house -- I  
10 don't know -- on Little Mountain, the development on Little  
11 Mountain. So do you guys play golf? All right. So hold on a  
12 second. I've got to do -- so 10, 11, 12 -- 14 is the par 3,  
13 right? You are hitting straight at the road. There is a red  
14 house there that looks really sharp. It's got nice white trim  
15 on it and I think it looks cool. It's an idea I've been  
16 floating around in my head. I think it would make for like a  
17 beautiful yoga studio on the second floor with some big  
18 windows and white trim because we have some pine trees up on  
19 the right hand. I think it would look good. So those are --  
20 That's, kind of, that's a little down the road yet.

21 CHAIRMAN REPPERT: All right.

22 MR. JOYCE: We'll cross that bridge when we --

23 MR. LINGENFELTER: Don't fall in love with that  
24 idea.

25 MR. JOYCE: I won't, I won't.

26 CHAIRMAN REPPERT: Okay. Hearing no other  
27 comments --

28 MR. LINGENFELTER: Now, is it my understanding we're  
29 going to vote on the site plan?

30 CHAIRMAN REPPERT: Site plan first.

1 MR. LINGENFELTER: And then have discussion on the  
2 design review?

3 CHAIRMAN REPPERT: Design review, yes.

4 MR. LINGENFELTER: So we will do the --

5 CHAIRMAN REPPERT: Should be much shorter.

6 MR. LINGENFELTER: Right, but two separate.

7 CHAIRMAN REPPERT: Yes, two separate issues.

8 MR. PETERSON: Separate vote.

9 MR. LINGENFELTER: All right. Mr. Chairman, I will  
10 make a motion that we accept the Site Plan Review Application  
11 Number 41 with the conditional approval based on the 17 points  
12 that the staff has made, 16 has (a) through, point Number 16  
13 has (a) through (k) and Number 17 has (a) through (e) on the  
14 recommendations. So I make, I make a motion that we accept  
15 the application, the site plan review application with the  
16 condition, with the conditions that are listed on the staff  
17 report.

18 CHAIRMAN REPPERT: Do I hear a second?

19 MR. SCHINDLER: I second.

20 CHAIRMAN REPPERT: Thank you. All those in favor  
21 say aye. Opposed say nay.

22 (Five aye votes, no nay votes.)

23 CHAIRMAN REPPERT: Okay. Site plan review is  
24 conditionally approved as noted.

25 Okay. Moving on, we now have the Design Review  
26 Application Number 41 for the same building. This one gives  
27 us the interior layout and the elevations with the blue and  
28 then the other elevations. I think the comments still stand  
29 as to what we had in the site plan. Any comments from the  
30 Board?

1 MR. PETERSON: Well, as far as the color goes, I  
2 actually like the blue in the brochure as opposed to the blue  
3 on the drawing but I think it's a very attractive, subtle and  
4 attractive color combination.

5 CHAIRMAN REPPERT: Okay.

6 MR. LINGENFELTER: Heather, let me ask you a  
7 question. How much of a problem does that create for us  
8 moving forward? If we have specific wording or specific  
9 verbiage in the Zoning Resolution that you would bring this  
10 out that it's not in compliance, is there anything we need to  
11 be concerned about in allowing the applicant to change the  
12 color to something else as long as it's -- I mean, are we okay  
13 with that or do you think that causes an issue we could be  
14 opening up a Pandora's Box for us some point in time down the  
15 road?

16 MS. FREEMAN: Well, I think this Board's job is to  
17 determine whether or not you feel like the blue color that he  
18 is showing you this evening meets the intent of that  
19 regulation. You really can't deviate from that regulation.  
20 We're not changing the regulation.

21 MR. PETERSON: Actually, it's low reflected and  
22 muted but it's just not earth tone but I don't see a problem  
23 with that, personally. I think it's a nice subtle blue. It's  
24 not a bright blue.

25 MR. LINGENFELTER: I don't have a problem with it  
26 either, Rich. All I am asking is, is this, are we --

27 MS. FREEMAN: I don't think that we are excluding  
28 any blue shades. You know, there are -- I am not a architect  
29 either.

30 MR. LINGENFELTER: Right.

1 MS. FREEMAN: And I don't know if Rich wants to  
2 chime in on this at all but there are blue colors, you know,  
3 in the earth.

4 MR. PETERSON: Yes, right.

5 MR. LINGENFELTER: Right. But my question is, my  
6 concern is -- and it's not a deep concern but it's a concern  
7 nonetheless -- that if we do not adhere to the requirement and  
8 allow this to happen, you know, is that causing an issue  
9 moving forward or is it just really up to our discretion  
10 anyway and, if we find it tasteful, then we can go ahead and  
11 make that modification or, you know?

12 MS. FREEMAN: Well, Mr. Joyce, this blue that you  
13 are showing us here in the book is not exactly the way it  
14 looks on these.

15 MR. JOYCE: No, exactly, yeah. As a matter of fact,  
16 I had originally had a slightly different blue from a  
17 different company and, when I read your comments, I kind of  
18 reached out further and looked for some other things. And  
19 when I stumbled across this, this is kind of like this is,  
20 this is what I was shooting for.

21 MS. FREEMAN: And you had like a sample of it there  
22 or something?

23 MR. JOYCE: I do, yeah. So I've got the blue, the  
24 trim and the black shutter, if you want to look at that.

25 MR. PETERSON: Blue is kind of a Western Reserve  
26 color.

27 MR. LINGENFELTER: Sure. Oh, no, I'm not opposed at  
28 all in any way, shape or form. My concern is just procedural,  
29 administrative wise.

30 MS. FREEMAN: Hi, Rich. I am going to let you see

1 what I am looking at here.

2 CHAIRMAN REPPERT: I don't know if we have to go to  
3 a zoning amendment thing.

4 MS. FREEMAN: Midnight blue. I am trying to show  
5 Rich with the camera here. I apologize. This is not the  
6 best, this whole COVID thing. So it is more of a midnight  
7 blue here, much darker, muted than what's depicted in the  
8 images there. I would be happy to show this to you when you  
9 are back in town, too, Rich. I will pass it around.

10 MR. IAFELICE: Thank you, Heather.

11 MS. FREEMAN: Sure. Rich is having a little bit of  
12 trouble hearing, just the way we've got the phone set up.

13 But, Andy, you know, your question, I don't think  
14 you're setting any kind of precedent. I think, you know, take  
15 a look at those samples. If you feel like that meets the  
16 intent, these are project by project. If it was bright blue  
17 more like shown in this picture, you know, that would be a  
18 different circumstance.

19 MR. LINGENFELTER: Right, okay. That's really my  
20 only, that's my only issue. I don't, really, I don't have a  
21 problem with it but I just wanted to make sure that we weren't  
22 opening the door for some issues in the future. Okay. So on  
23 that, we only have, what, we only have --

24 CHAIRMAN REPPERT: Three.

25 MR. LINGENFELTER: -- three bullet points on the  
26 design review.

27 CHAIRMAN REPPERT: Yes.

28 MR. LINGENFELTER: Aside from the color, which I  
29 think it seems like we might be in agreement on that, so I  
30 don't think that's going to be an issue.

1           The light poles, the proposed light poles, you are  
2 okay with that, too, Peter?

3           MR. JOYCE: Yeah, yeah. I've got, I brought a  
4 catalog and I can show you similar to what we have, if you'd  
5 like, because I took a photo of my lamp post here.

6           MR. LINGENFELTER: And the north wall issue, you're  
7 okay?

8           MR. JOYCE: The north wall, we're just going to wrap  
9 the stone around it so it's uniform.

10          MR. LINGENFELTER: Right, okay.

11          MR. JOYCE: Quite honestly, that was an oversight on  
12 our part because that's what the current building has.

13          MR. LINGENFELTER: Sure, sounds good. All right,  
14 okay.

15          CHAIRMAN REPPERT: Okay. Any other comments from  
16 the Board?

17          MR. SCHINDLER: The only comment, getting back to  
18 the paint, was they say it should be matted. And according to  
19 what he showed us and the catalog, it looks matted to me, that  
20 he's chosen. So I don't see that as being an issue,  
21 personally.

22          CHAIRMAN REPPERT: Okay. Andy?

23          MR. LINGENFELTER: I have made my comments.

24          CHAIRMAN REPPERT: Okay.

25          MR. PETERSON: I am good.

26          CHAIRMAN REPPERT: Rich is good. Rich on the phone?

27          MR. IAFELICE: I am sorry, Mr. Chairman, but pretty  
28 much everything that was said there, I could not hear, as much  
29 as anything. I apologize.

30          CHAIRMAN REPPERT: Could it be the mask? No.

1 Basically, what we said was, if you look at the staff, the  
2 staff comments on the design review, Mr. Joyce is pretty well  
3 amenable to all of them except for the blue and we think we  
4 solved that or resolved it, so they look okay.

5 So I look for a motion to approve the Design Review  
6 Application Number 41 with the staff, with the staff  
7 recommendations.

8 MR. PETERSON: Mr. Chairman, I make a motion that we  
9 conditionally approve the Design Review Application Number 41  
10 as noted with the three changes, including the blue color.

11 MR. LINGENFELTER: I'll second.

12 CHAIRMAN REPPERT: All those in favor say aye.  
13 Opposed?

14 (Five aye votes, no nay votes.)

15 CHAIRMAN REPPERT: None. Okay. You are approved,  
16 conditionally approved.

17 MR. LINGENFELTER: Yes.

18 MR. JOYCE: Thank you, appreciate it.

19 CHAIRMAN REPPERT: Okay. Thank you.

20 MR. LINGENFELTER: We appreciate your time and we  
21 appreciate you coming in to share your thoughts with us.

22 MR. JOYCE: No problem. Do you want me to write  
23 that stuff down for you or you just --

24 (A brief off-the-record discussion was held between  
25 Ms. Freeman and Mr. Joyce.)

26 MR. JOYCE: All right, gentleman. You have a  
27 wonderful evening. Appreciate it.

28 CHAIRMAN REPPERT: Thank you, Mr. Joyce.

29 MR. JOYCE: And ladies, I should say, also. Thank  
30 you. Take care.

1 MR. LINGENFELTER: Very good. Thank you.

2 CHAIRMAN REPPERT: Next on the agenda is the  
3 election of a vice chair. Do I have any nominations?

4 MR. PETERSON: Mr. Chairman, I nominate Andy  
5 Lingenfelter for vice chairman.

6 CHAIRMAN REPPERT: I will second. Do we -- Yeah,  
7 I'll second that. Anybody else? None. Rich on the phone?

8 MR. IAFELICE: Are you asking me for nominations?

9 CHAIRMAN REPPERT: Yes.

10 MR. IAFELICE: None, none. Thank you, Mr. Chairman.

11 CHAIRMAN REPPERT: Okay. We had Andy Lingenfelter  
12 as nomination for vice chair. All those in favor? Or, no, do  
13 I have to close the nominations?

14 MS. FREEMAN: You need someone to make a motion.

15 MR. LINGENFELTER: You need somebody to make a  
16 motion.

17 MS. FREEMAN: Yeah. You don't need to close the  
18 nominations.

19 CHAIRMAN REPPERT: Okay. Make a motion that we --

20 MR. LINGENFELTER: You need somebody to make a  
21 motion. I can't make it.

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

24 CHAIRMAN REPPERT: Okay. Do I have a second?

25 MR. LINGENFELTER: I'll second.

26 CHAIRMAN REPPERT: Okay. Now, nominations being  
27 closed, only one nominee is there. Do I have a motion that we  
28 accept Andy?

29 MR. SCHINDLER: Mr. Chairman, I so move that we  
30 accept Andy Lingenfelter as vice chair.

1 CHAIRMAN REPPERT: I will second that. All those in  
2 favor?

3 MR. LINGENFELTER: I'll abstain.

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

5 MR. PETERSON: You were next in line anyway.

6 MR. LINGENFELTER: I know.

7 CHAIRMAN REPPERT: Oh, is that right?

8 MR. PETERSON: Yeah. We go in sequence.

9 CHAIRMAN REPPERT: In a rotation. All right. Andy,  
10 is our vice chair.

11 Approval of minutes for the July 7th Zoning  
12 Commission meeting.

13 MR. LINGENFELTER: Mr. Chairman, I make a motion we  
14 accept the minutes as presented.

15 MR. PETERSON: I will second that motion.

16 CHAIRMAN REPPERT: All those in favor of approval?  
17 Rich?

18 MR. IAFELICE: I will have to abstain, Mr. Chairman.

19 CHAIRMAN REPPERT: Pardon?

20 MR. PETERSON: He abstained.

21 CHAIRMAN REPPERT: Abstain?

22 MR. IAFELICE: Yes. I was not there.

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

24 CHAIRMAN REPPERT: Meeting minutes are approved for  
25 the July 7th meeting.

26 Correspondence report for Zoning Commission members,  
27 starting with Rich on the phone.

28 MR. IAFELICE: None, Mr. Chairman. Thank you.

29 CHAIRMAN REPPERT: Okay. Rich, here.

30 MR. PETERSON: I had no correspondence,

1 Mr. Chairman.

2 CHAIRMAN REPPERT: Andy?

3 MR. LINGENFELTER: Mr. Chairman, I was approached by  
4 a neighbor that's in my development with regards to accessory  
5 buildings and I provided him with a copy of the section of the  
6 zoning, you know, the Zoning Resolution that covers the  
7 designated area that he lives in so that he could review it so  
8 that he understood what the, what his obligations were and  
9 what the rules and regulations were with regards to accessory  
10 buildings. So that was it for me though. That was the only  
11 thing I dealt with.

12 CHAIRMAN REPPERT: It wasn't Morgan, was it?

13 MR. LINGENFELTER: No, no.

14 CHAIRMAN REPPERT: All right. Frank?

15 MR. SCHINDLER: No, Mr. Chairman, none.

16 CHAIRMAN REPPERT: And I had none, also.

17 Audience participation is next. Hello, audience.

18 MR. PETERSON: Could be on the phone, right?

19 CHAIRMAN REPPERT: Yeah, well, only for the public  
20 hearing. No?

21 MS. FREEMAN: There isn't anyone else on the phone.

22 CHAIRMAN REPPERT: Nobody else is on the phone? I  
23 guess we have no audience participation.

24 MR. LINGENFELTER: This is what I was talking about.

25 CHAIRMAN REPPERT: The next meeting for the Zoning  
26 Commission is October 6, 2020.

27 MR. LINGENFELTER: Wow, October.

28 CHAIRMAN REPPERT: October already.

29 MR. LINGENFELTER: Holy smokes, crazy.

30 CHAIRMAN REPPERT: All right. With that, do I hear

1 a motion that we adjourn?

2 MR. PETERSON: Mr. Chairman, make a motion we  
3 adjourn the meeting.

4 MR. LINGENFELTER: I'll second.

5 CHAIRMAN REPPERT: Second. All those in favor?

6 (Five aye votes, no nay votes.)

7 CHAIRMAN REPPERT: Meeting is adjourned.

8 MR. LINGENFELTER: Nice job.

9 (Whereupon, the meeting was adjourned at 7:42 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 8th day of September 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