

CONCORD TOWNSHIP BOARD OF TRUSTEES  
LAKE COUNTY, OHIO  
REGULAR MEETING

Held via WebEx, Facebook Live  
and YouTube Live Streaming

Concord Town Hall  
7229 Ravenna Road  
Concord, Ohio 44077

July 21, 2021  
7:30 p.m.

TRANSCRIPT OF PROCEEDINGS

Present on behalf of the Board of Trustees:

Morgan McIntosh, Chair  
Amy Lucci, Vice Chair  
Carl Dondorfer, Trustee

Also Present:

Andy Rose, Administrator  
Michael Lucas, Esq., Legal Counsel  
Heather Freeman, Zoning Director

**Melton Reporting**  
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1 7:30 p.m.

2 CHAIRMAN McINTOSH: Okay. Good evening. I would  
3 like to call to order the Concord Township Board of Trustee  
4 meeting for Wednesday, July 21, 2021. Would you please rise  
5 and join me in the Pledge of Allegiance.

6 (Whereupon, the Pledge of Allegiance was recited.)

7 CHAIRMAN McINTOSH: Okay. Mr. Rose, are you doing  
8 the roll call this evening?

9 MR. ROSE: I am, sir. Good evening. Mr. McIntosh?

10 CHAIRMAN McINTOSH: Present.

11 MR. ROSE: Mrs. Lucci?

12 MS. LUCCI: Present.

13 MR. ROSE: Mr. Dondorfer?

14 MR. DONDORFER: Present.

15 CHAIRMAN McINTOSH: Okay. A full house here this  
16 evening. I know our first order of business is a swearing in  
17 of part-time firefighter/paramedic Kyle Langer. And so, with  
18 that, I'd ask if he would come forward and we will administer  
19 the oath. Please raise your right hand.

20 (Whereupon, the oath of office was administered to  
21 Kyle Langer.)

22 CHAIRMAN McINTOSH: Congratulations.

23 MR. LANGER: Thanks.

24 AUDIENCE MEMBERS: Speech, speech, speech.

25 (Whereupon, pictures were taken.)

26 CHIEF SABO: Very good. Just say a couple words  
27 about yourself.

28 MR. LANGER: I started here about a year ago and I  
29 wouldn't be here if it wasn't for the guys in the back, so  
30 thank you, guys.

1 (Applause. There was a brief break while the  
2 firefighters left the room.)

3 CHAIRMAN McINTOSH: All right. We are moving  
4 through the agenda. The next item is the new voting machine  
5 demonstration by the Board of Elections. And I know we have  
6 our elections director here, Ross McDonald, and his deputy.  
7 So if you guys would come forward and please -- Hi, Ross.

8 MR. McDONALD: Yeah, thank you. And I was just  
9 looking for my cue on where I stand.

10 MR. ROSE: You can stand wherever you like. It's  
11 portable.

12 MR. McDONALD: I am going to let the audience know  
13 real quick, we are going to set up this voting equipment as  
14 quick as we can. It may take us a little while. But I am  
15 going to talk a little bit about the product. Dante Lewis is  
16 our deputy director and you will be hearing from him here  
17 shortly.

18 So, first of all, I just want to thank the Trustees  
19 for having us here tonight. Very excited because there is a  
20 lot of new things in the world of elections for Lake County,  
21 the first thing being my partner here, right here, Dante  
22 Lewis. He joined us on July 6th. He is replacing the  
23 outgoing deputy director, Jan Clair, who served for the Board  
24 of Elections for close to 30 years. I am sure many of you, at  
25 least, are familiar with that name, Jan Clair. She was my  
26 mentor. I came to Lake County in 2015 as deputy director with  
27 the goal of learning from Jan and taking over from her, for  
28 her, which I was lucky enough to do in 2018.

29 What we're here to talk about, other than that,  
30 other than Dante, is this new voting equipment. So on the

1 previous machine that we had, we had it for 15 years. It was  
2 a great touch screen voting machine. What I think voters are  
3 going to find with our new product is that it feels a lot like  
4 a throw-back to the old equipment. However, we feel that it's  
5 a little bit better, in that, you are going to be provided an  
6 actual tangible, physical ballot to review after you do your  
7 voting process.

8           So you're looking at two machines. On the left, it  
9 will be upright here momentarily. That is the touch screen  
10 device. When you go to the polls on Election Day, you will be  
11 identified by our poll workers and you will be provided a  
12 blank ballot that looks, pretty much, like this. We will show  
13 you here shortly. At that point, you will be escorted over to  
14 this voting machine. And on that voting machine, there is  
15 actually a slot for that ballot to be inserted. Once it's  
16 inserted, a touch screen, an image, comes up of your ballot,  
17 of all the contests that you're eligible to vote on.

18           So just like the old equipment, you would mark,  
19 press the screen to cast your votes. However, at the end of  
20 your voting session, you're going to hit a "print" button and  
21 that's going to eject that ballot with all of your votes  
22 contained on the paper ballot. So that's an additional  
23 opportunity for you to verify that those are the votes, those  
24 are the candidates and those are the yes or no vote that I  
25 wanted to cast.

26           The old equipment did have an onboard realtime paper  
27 trail; however, most people didn't realize it. It was off on  
28 the left-hand side of the unit. Most people didn't realize  
29 that your vote was being recorded there. And in the event of  
30 an audit or a recount, that's what we referred to whenever we

1 had to recount the election or conduct an audit of the  
2 election.

3           What Dante is getting out right now is the ballot  
4 box where your ballot will be securely stored and transported  
5 back to the Board of Elections. This machine over here on the  
6 right is actually the -- this is where the ballot counting  
7 process occurs. The touch screen that you will see here  
8 shortly is where you will be marking your ballot. That's  
9 Step 1. This is Step 2. And I think, again, that you're  
10 really going to like it.

11           A question that we get all the time or occasionally  
12 is, "Well, why are you getting new voting machines?" Well,  
13 the first answer is that our outgoing equipment actually was  
14 running out of replacement parts. There was just nowhere  
15 where we could source replacement parts. They were a tried  
16 and true, very great system that we had but we just ran out of  
17 the ability to replace critical components at this point.

18           And the State of Ohio passed voting machine funding  
19 for all the counties, so we had the opportunity to purchase  
20 this equipment with very little funding coming from the County  
21 General Fund. While I have a moment, I do want to thank you  
22 the County Commissioners for supporting the project. They  
23 have issued some County General Funds to make this purchase  
24 happen. We see this as a 10- to 15-year investment, just like  
25 our last set of voting machines, so very excited about it.

26           Dante is getting very close to having this up and  
27 running.

28           While I have the time, I am going to talk about  
29 statistics in Concord. Right now, there are almost 15,000  
30 registered voters in your township, which I have only been

1 here since '15 and I have already seen your township explode  
2 and grow. We're seeing Concord as being one of the fastest  
3 growing communities in Lake County.

4 With that said, you have 15 precincts and four  
5 polling locations. Does everybody have a good idea of what a  
6 precinct is and what that means for you as a voter? And so  
7 it's just that geographically designated area where your  
8 districts are assigned. So out here, there are actually,  
9 there are actually three public school districts. I don't  
10 know if everybody knew that but there are, technically, three  
11 within the township, of course, Riverside and Mentor, and even  
12 one of our precincts is split with Chardon School District.  
13 So any Chardon School District voters? I think there is about  
14 seven or eight, I think, that reside in Lake County.

15 But what that means for us is that, if Chardon were  
16 to ever present a levy, our voters, that small number of  
17 voters would need to see that. So --

18 MR. LEWIS: Would be you --

19 MR. McDONALD: Give you a hand?

20 MR. LEWIS: Yes.

21 MR. McDONALD: So what we're doing, we're getting  
22 our equipment put up in the upright position.

23 MR. LEWIS: That latch, you hit that.

24 MR. McDONALD: I got it.

25 This is demo equipment, by the way, everybody. So  
26 it's been beat up and taken on the road. A couple of our pins  
27 are damaged, kind of. So what have we got going on, Bud?  
28 All right. There we go. It's very hot in here, by the way.  
29 I apologize. I am sweating. I am not nervous. It's just, I  
30 am hot. I swear, that's all it is.

1 MR. LEWIS: Do you want to hold on?

2 MR. McDONALD: What's that?

3 MR. LEWIS: Do you want to hold that for me, please?

4 MR. McDONALD: Yeah.

5 We're going to get this started anytime now. So  
6 Dante is unloading, this is the privacy screen that you are  
7 going to see put up here right now and there is another side  
8 to the privacy, privacy booth. We had that taken off because  
9 we were doing a demonstration at the Mentor Public Library and  
10 there were large groups coming around and it's beneficial for  
11 you, too, to be able to see what's on the screen here.

12 While I am waiting for him to finish up, do you guys  
13 have any questions about elections? I mean, I know that's  
14 sort of a risky thing to put out there these days but I would  
15 be glad to do my best to answer your questions.

16 Ms. Vitaz.

17 MS. VITAZ: For the absentee voters, is that going  
18 to be automatic for people who -- How is it going to be this  
19 year?

20 MR. McDONALD: So absentee voting during the  
21 presidential elections, all voters are automatically mailed  
22 the application, not the ballot but just the application to  
23 say, "Hey, if you want to vote by mail, fill out the  
24 application." That's not going to happen for this election.  
25 We'll find out soon. There is some legislation out there that  
26 may or may not permit that to happen ever again. We will see.  
27 But since I've been in elections all the way back to 2011,  
28 that's something that the State of Ohio has always done in  
29 even year elections, what we call federal election year. They  
30 will send out absentee ballot applications to voters. Voting,

1 as far as our new equipment, voting by mail will not change,  
2 of course.

3 And then the early voting process, anybody here vote  
4 early during the pandemic, the general, the presidential  
5 election?

6 AUDIENCE MEMBER: I did.

7 MR. McDONALD: You did, okay, and in back here. Did  
8 you have a good experience when you came into the Board of  
9 Election, got in pretty quickly and out and you felt safe and  
10 everything?

11 We're still waiting on guidance as to whether or not  
12 we have to have all of, you know, the dividers and the masks  
13 and so forth, but we will have a very similar early voting  
14 setup for this election.

15 So with that said, I am going to turn it over to  
16 Dante to say a few words.

17 MR. LEWIS: Again, my name is Dante Lewis. I came  
18 here from Mahoning County, a little further south, where I  
19 worked in elections. I started there in 2011. That was right  
20 around the time that we switched to these DS 200 machines you  
21 see in here, ES&S. We actually had the paper ballot back  
22 there that you would mark the oval and then feed it through.  
23 But in 2018, we purchased the Express Vote and we used that as  
24 our early voting system. So they would actually -- It's going  
25 to be similar to the Election Day process here in Lake where  
26 you feed the card, you make your selections, and then you go  
27 ahead and cast the DS 200.

28 I can tell you that our voters that came to vote  
29 early were jealous. They wanted to do that at the precinct  
30 level. So they voted early one time and they said, "How come

1 we don't have those Express Votes at my polling location?"  
2 They liked them that much. It was a very smooth process. The  
3 great part is you do have that paper backup. It's something  
4 that the voter can actually see in their hand. It goes  
5 through this machine and then it's sent down to a ballot bin.  
6 Everyone saw me open up that door. That paper ballot goes  
7 right down in there and, if there are any issues, you have  
8 that paper trail right there. I feel it is a very good  
9 system. I've been dealing with it for ten years and I truly  
10 believe in these products.

11 So let's go ahead and power on. I need to plug it  
12 in. Did we bring the plug?

13 MR. McDONALD: It should be there in the ballot box.

14 MR. LEWIS: Okay.

15 MR. McDONALD: So what I would like to do is ask  
16 Ms. Lucci, if you're interested, would you be interested in  
17 being our sample voter tonight?

18 MS. LUCCI: Of course, sure.

19 MR. McDONALD: I want to point out, Ms. Lucci and  
20 Chairman McIntosh, they have served for us as Election Day  
21 rovers in the past, and I am sure some day we will get Trustee  
22 Dondorfer out there and helping us out maybe, definitely not  
23 this year but next year, possibly, we will reach out and do  
24 that.

25 Another thing, while we are working on getting this  
26 plugged in here, I want to talk about poll worker recruitment  
27 because, right now, I think we are seeing a lot of our  
28 seasoned poll workers step away from the process just because  
29 of concerns with COVID. We saw a lot of people who just could  
30 not work the polls during the general election, so we saw

1 young people step up. I am just concerned that maybe they're  
2 just going to do it the one election. So what I challenge the  
3 group here tonight, just think about being a poll worker for  
4 us. It's actually a paid position. A lot of people don't  
5 realize that. So when I talk to groups, say you're doing a  
6 common cause or a charity for your church, if you get ten  
7 people together and you all agree that you're going to donate  
8 that paycheck back to your common cause, ten times, you know,  
9 150, that's a quick \$1,500 windfall for your group. So keep  
10 that in the back of your mind if you ever have any kind of  
11 group that you're trying to raise money for.

12 Another thing is just vote every election. You  
13 know, we have these odd year elections coming up. And in my  
14 opinion, and I think the opinion of most election officials,  
15 these odd year elections are the most important for your  
16 day-to-day life. Someone that you elect on a Tuesday, by  
17 January 1st, could really have impacts on your life. And we  
18 see a, sort of, an opposite turnout in terms of major, what  
19 people see as a major election, like a presidential election  
20 year, huge turnout. But in, I think in my mind, there are so  
21 many layers of checks and balances before a president could  
22 potentially impact your day-to-day life.

23 So with that said --

24 MR. LEWIS: Power it on here.

25 MR. McDONALD: How are we looking, Dante?

26 MR. LEWIS: Sure. Just let me grab a bar code.

27 MR. McDONALD: Good.

28 Any other questions? I think I saw a hand come up  
29 on this side.

30 MR. SCARVELLI: I think the question I have is, are

1 most of the counties going to be getting these new machines?

2 MR. McDONALD: Yeah, that's a great question. So,  
3 actually, a lot of counties did this prior to us. Lake  
4 County, we kind of sat back and watched because we wanted to  
5 evaluate how the equipment performed, and this equipment is  
6 active in about 20 counties in Ohio out of 88 and they  
7 performed very well during the presidential election. So we  
8 didn't want to try to implement an entirely new system during  
9 the presidential election year. So that's the answer for  
10 that.

11 Dante, Ms. Lucci, we're ready for you.

12 MR. LEWIS: If you would like to step up.

13 MR. McDONALD: Put your election code in, my friend.

14 MR. LEWIS: So you will check in. You will be given  
15 something a little bit different than this. We're just using  
16 this for the bar code. We are going to -- I will type in the  
17 election code. You want to --

18 MR. McDONALD: Another thing that I hear a lot in  
19 elections is a question about, Can this connect to the  
20 internet? No, our equipment, it's not even configured or have  
21 the hardware to connect to the internet, so these are never  
22 connected to the internet. We went through a very strict  
23 round of cyber and physical security requirements and have  
24 done a lot. I mean, I think that our cyber security measures  
25 are right up there with the private industry, if not exceeding  
26 some private industry, which it's not always the case where  
27 government is with private sector. So we are doing things  
28 like device whitelisting, two-factor authentication, cyber  
29 security awareness training on a very regular basis, so these  
30 are all things that we're doing at this stage.

1 MR. LEWIS: Do you want to check Ms. Lucci in here?

2 MR. McDONALD: Yeah, absolutely. So here we have  
3 Ms. Lucci. She is here to vote. So the first thing that you  
4 are going to see when you go vote is that your card must be  
5 inserted into the machine. And I apologize, Trustees, that  
6 you can't see well. I guess you can see. All right.

7 MR. DONDORFER: I can see right here.

8 MR. McDONALD: My apologies, okay.

9 MR. ROSE: You are also live on our YouTube channel  
10 being broadcast across the whole township.

11 MR. McDONALD: All right. Well, hello, everybody on  
12 YouTube. Thanks for tuning in.

13 So the next thing that we are going to do is we're  
14 going to scan the QR code that was generated when Ms. Lucci  
15 got checked in at the iPad. So we are going to scan this at  
16 the bottom. And the beauty of that is that it automatically  
17 knows the correct ballot style for her, for her precinct, and  
18 we're going to confirm it. So Dante is going to say "Accept."  
19 We're going to see a quick instruction screen on how to mark  
20 your ballot on the new equipment and, once you're satisfied,  
21 press "Start Voting."

22 MR. LEWIS: Here is your ballot for favorite things.  
23 You can select your favorite dog breed, favorite way to spend  
24 free time, and favorite U.S. beach.

25 MR. McDONALD: So this is, yeah, our favorite  
26 selections. And do you mind if we share with the world how  
27 you're voting?

28 MS. LUCCI: I do not.

29 MR. McDONALD: And that's like a pillar in our  
30 industry is the privacy of the ballot, but since it's just for

1 fun, she voted on her favorite dog breed being a rescue dog.

2 MR. LEWIS: Can't go wrong there.

3 MR. McDONALD: That's a very PC choice, by the way.  
4 Your favorite U.S. beach, you know, we didn't have time to  
5 throw in Lake Erie. We should have. But she voted for  
6 Galveston Island Beach.

7 The next contest, Ms. Lucci, the next one is  
8 actually a vote for two. So we wanted to simulate a scenario  
9 where a voter might have two selections to make under one  
10 contest. So the next is favorite way to spend your free time.  
11 She is saying exercising and reading. She also would have the  
12 choice of casting a write-in ballot. And just for the benefit  
13 of everybody at home, would you mind de-selecting the reading  
14 and then doing a write-in real quick just to show how the  
15 keyboard pops up. So the keyboard does pop up and you can  
16 type in the name of a valid write-in.

17 You know, I think it's very important that we talk  
18 about valid write-ins real quick. Yeah, you can write in  
19 Mickey Mouse and Donald Duck as your write-in.

20 Ms. Lucci, if you could step left of me, I think the  
21 camera might -- There we go. That's what he was saying.

22 And, you know, ballot write-ins, people can write  
23 whatever they want; but a valid write-in actually files with  
24 our office or with the Secretary of State and, after the  
25 election, we're going through and counting those valid  
26 write-ins. We have seen so many different names. I mean, you  
27 can imagine what people are writing in on those ballots. Some  
28 of them are saying, you know, "none of the above" or something  
29 cute like that.

30 MR. LEWIS: The last two questions here dealing with

1 elections, are you in favor of Election Day being a national  
2 holiday? Great, great choice.

3 MR. McDONALD: And the second question was, Are you  
4 in favor of Saturday voting? And the answer for me is no  
5 because I never would get a weekend but I guess the public  
6 would like that, so she said yes.

7 If you would, please, press "Review Selections."  
8 So, again, this is what I would say your digital second chance  
9 to confirm your selections just on the screen. You can see  
10 that, a summary of all of her selections. And once she is  
11 satisfied, she is going to press "Print ballot" and it's  
12 giving her a warning that, "Hey, we're about to print your  
13 ballot for you. If you want to make any final changes, hit  
14 'Return,'" but I think she is comfortable.

15 MR. LEWIS: So that will print and, remember, you're  
16 not done just yet, right, Boss?

17 MR. McDONALD: Yes, that is so important because I  
18 think our voters may be thinking that we're done at this  
19 point. That's why -- Because we're not done yet. Now she  
20 will pull that out and we'll look at her selections. If you  
21 want to hold that up to the camera so we can show that what  
22 she saw on the screen is exactly the same thing that this card  
23 printed out. Good?

24 So that is another opportunity for you to say, "No,  
25 I didn't vote for this person," or, "I made a mistake,"  
26 because your vote hasn't been counted yet. We are going to  
27 have signage that says, "Wait, this not a receipt. This thing  
28 is actually your ballot. We need you to insert it into the  
29 scanner." So behind her on her left here we see the ballot  
30 scanner and do you see the upper black tray there, Ms. Lucci?

1 And do we want to see if we can get a good shot of the camera  
2 on that?

3 MR. ROSE: Yeah, we are working on it.

4 MR. DONDORFER: Do we want us to -- There we go,  
5 beautiful, right there.

6 MR. LEWIS: All right. I think you might have held  
7 it too long.

8 MR. McDONALD: I think it was trying to take it from  
9 her and then --

10 MR. LEWIS: So you might have to -- There you go.

11 MR. McDONALD: Oh, there it goes.

12 MR. LEWIS: It will take it and it will be dropped  
13 down into the bin. And then you will get an "I voted"  
14 sticker. We don't have any on us today.

15 MS. LUCCI: That's okay.

16 MR. LEWIS: But we will give you one on Election  
17 Day.

18 MS. LUCCI: Nice and easy.

19 MR. McDONALD: So we have taken probably enough time  
20 at this point but we really, we really believe in the  
21 equipment. It's a great system. It's a hybrid where we're  
22 combining the benefits of an electronic voting machine with  
23 the benefits of a paper-based system. This is actually a  
24 paper-based voting system.

25 It does things like it as ADA compliance for our  
26 voters who need to listen to their ballot as opposed to being  
27 able to see the ballot, for those who may be using a  
28 Sip-N-Puff machine. It's all 100 percent ADA complaint.

29 MR. LEWIS: You have a Braille pad.

30 MR. McDONALD: We have a Braille pad attached to it.

1 So it's a very well-designed piece of equipment. It is a, by  
2 a company who we believe is a Titan in the industry, ES&S.  
3 They've been helping us with elections for quite a few years  
4 now. They were the company who developed the machine that we  
5 are, you know, putting out the pasture, so to speak. And  
6 they're based in Omaha, Nebraska. All of this equipment is  
7 built right here in the United States.

8 AUDIENCE MEMBER: Does that go right in the box?

9 MR. McDONALD: And that goes right in the box, yes.  
10 So there is, actually, maybe you had seen this while we were  
11 setting up. There is a blue ballot bin in the bottom. That's  
12 what we are putting into our secure tabulation room for after  
13 the election in the event that we had to do a recount or an  
14 audit.

15 MR. SCARVELLI: On election night, where is it  
16 transported once the ballot drops? Where does it go to?

17 MR. McDONALD: At the end of the night, these all  
18 are coming -- There's boxes in the bottom of this. They're  
19 coming back to the Board of Election headquarters on election  
20 night.

21 MR. SCARVELLI: You lock them up but it's already  
22 tabulated.

23 MR. McDONALD: It's already tabulated.

24 MS. SCARVELLI: So the results will be released  
25 almost immediately.

26 MR. McDONALD: So what we are having our poll  
27 workers do, once they close the machines down, there is  
28 actually an encrypted thumb drive onboard of the unit. That  
29 is being brought back to our tabulation room in Painesville  
30 and then we're accumulating the results from that stick and

1 then we will report that. We report on about a 15- to  
2 20-minute schedule as polling sites are returning their  
3 supplies.

4 AUDIENCE MEMBER: Do you reconcile the ballots  
5 printed to the ballots inserted?

6 MR. McDONALD: Yes, absolutely, we do, yes. So she  
7 -- The way we reconcile and what we mean is, kind of,  
8 balancing out the books at the end of the night. We count out  
9 the number of voters who were checked in to vote -- so that's  
10 when you go to sign in your name and you've been identified --  
11 versus the number of votes cast at the polling place. Those  
12 two numbers, guess what, need to be equal, or if they're not,  
13 there needs to be a reason why. And the most common reason  
14 why is that the voter, unfortunately, walked away before  
15 actually casting their ballot. That was something that we had  
16 on the old unit. I will be honest. We had, occasionally,  
17 what we would call a fleeing voter. They got to the machine  
18 and they thought they were done, they walked out, the machine  
19 started chirping. And, unfortunately, Ohio law dictates that  
20 the poll workers cannot cast that ballot for them. So it has  
21 to be --

22 MR. SCARVELLI: We've chased them out in the parking  
23 lot.

24 MR. McDONALD: Well, are you a poll worker or  
25 something? All right, look at you. Thank you for your  
26 service.

27 MR. LEWIS: Thank you for your service.

28 MR. McDONALD: Any other poll workers in the room  
29 tonight? Well, you have a great role model here to look after  
30 here. And you are absolutely right. We would try to find

1 that voter to bring them back to the voting machine and cast  
2 that ballot. If we couldn't locate them, then we have to  
3 cancel it.

4 Yes, ma'am.

5 MS. LANNAN: What happens to the bar code after you  
6 cast your vote?

7 MR. McDONALD: What happens to the bar code?

8 MS. LANNAN: Yeah. What happens with it?

9 MR. McDONALD: This, oh, the code, that gets  
10 destroyed. Great question because that is a key. That is a  
11 live --

12 MS. LANNAN: What happen if it gets duplicated, if  
13 somebody duplicates it with a QVC scanner on their phone? Can  
14 it be duplicated?

15 MR. McDONALD: Not -- No, no, absolutely not, it  
16 cannot be duplicated. And that's a great -- You are asking a  
17 great question. This equipment goes through both federal and  
18 state certification before it's allowed to be used. So before  
19 you can even come to the state of Ohio for certification, you  
20 have to have what's called EAC certification. And then after  
21 you've received EAC, you get examined by the State Board of  
22 Voting Machine Examiners. Then they'll issue, I think it's  
23 called a Certificate of Conformance and then they're allowed  
24 to sell their gear in the state of Ohio.

25 AUDIENCE MEMBER: Thank you.

26 MR. McDONALD: Thank you. Great question.

27 Mr. Vitaz.

28 MR. VITAZ: Do you audit after every election?

29 MR. McDONALD: We do not audit every election. We  
30 audit every federal year election or any election result that

1 is within one-half of one percent, one-half of one percent.  
2 Now, in some respects, sir, we do audit. We always audit  
3 after the election in some respects, and that is, doing the  
4 reconciliation that Bev brought up. We're making sure that  
5 the number of voters who were checked in matches the number of  
6 ballots cast. When we're looking at absentee ballot  
7 envelopes, we're looking at that signature. Not only did the  
8 signature have to match the voter records to receive the  
9 ballot, the signature has to match the voter record in order  
10 for that ballot to be counted.

11 So there is a lot. Ohio, I believe, has the best  
12 and most rock solid election laws in the nation. We do it  
13 right. We offer a very generous early voting period. We  
14 offer a very generous election day voting process. I think we  
15 have a model election system for the states, the rest of the  
16 states to take note.

17 All right. With that said --

18 MR. DONDORFER: Thank you, gentlemen.

19 MR. ROSE: Thank you so much for coming. I  
20 appreciate it.

21 MR. McDONALD: I think that's it. Sorry, everybody,  
22 that it took us a little while and I promise, by the time you  
23 see us again, we will be flipping the machines really quick  
24 and getting it all set up, but we're a little new. So we are  
25 going to get out of the way now.

26 MR. DONDORFER: Thanks.

27 MS. LUCCI: Thank you.

28 MR. McDONALD: Yep.

29 CHAIRMAN McINTOSH: Okay. The next item on the  
30 agenda is the approval of minutes.

1 THE REPORTER: Hold on, hold on.

2 MR. DONDORFER: Okay. Mr. Chairman, I make a  
3 motion --

4 MR. ROSE: I am sorry, Mr. Dondorfer.

5 Mr. Chair, I apologize for the interruption but I  
6 wanted to clarify. There is an additional line item on the  
7 agenda regarding the minutes. The previous vote was on  
8 minutes that were not fully completed. They were in draft  
9 format. So the full minutes are now before you for approval.

10 CHAIRMAN McINTOSH: Okay.

11 MR. ROSE: Which is why you see, on the second  
12 section, motion for approval of the consolidated minutes for  
13 the minutes you voted on at the last meeting. So I just  
14 wanted to clean that up. Thank you.

15 CHAIRMAN McINTOSH: So we're looking for July 7th  
16 public hearing, July 7th regular, and then the third motion  
17 would be the consolidated motion.

18 MR. ROSE: Correct. So there will be three, yes,  
19 sir.

20 CHAIRMAN McINTOSH: Three motions, three votes.

21 MR. ROSE: Yes.

22 MS. LUCCI: Mr. Chairman, I move that we approve the  
23 minutes from the July 7, 2021, public hearing.

24 MR. DONDORFER: I'll second.

25 CHAIRMAN McINTOSH: All in favor?

26 (Three aye votes, no nay votes.)

27 MR. DONDORFER: Mr. Chairman, I will make a motion  
28 to approve the July 7, 2021, regular trustee meeting.

29 MS. LUCCI: I second.

30 CHAIRMAN McINTOSH: All in favor?

1 (Three aye votes, no nay votes.)

2 MS. LUCCI: I move that we approve the consolidated  
3 minutes for the June 16, 2021, special meeting with Chardon  
4 Township; the June 16, 2021, public hearing; the June 16,  
5 2021, regular meeting; and the June 28, 2021, special meeting  
6 continuation of the public hearing.

7 MR. DONDORFER: I will second.

8 CHAIRMAN McINTOSH: All in favor?

9 (Three aye votes, no nay votes.)

10 CHAIRMAN McINTOSH: Okay. Moving on to Elected  
11 Officials Reports, Mr. Rose, did you have any comment from  
12 Mrs. Dawson?

13 MR. ROSE: There is not a report from Mrs. Dawson.  
14 Thank you.

15 CHAIRMAN McINTOSH: All right. Moving into  
16 Trustees, Mrs. Lucci.

17 MS. LUCCI: Thank you, Mr. Chairman. I just wanted  
18 to say I hope everybody is having a good summer, getting out  
19 and enjoying some of the events this year. We've been  
20 enjoying the concert series. Unfortunately, we had to cancel  
21 the last couple ones due to weather but those have both been  
22 rescheduled and we have more to look forward to. So hope to  
23 see everybody there.

24 I did have a few conversations with folks regarding  
25 one of the items on our agenda this evening, the preliminary  
26 plan development. I also had discussion with some residents  
27 regarding some drainage and water issues in their back yard,  
28 some just general zoning questions from a resident, and some  
29 complaints of noise, fireworks, dog barking type things. And  
30 I think it's a good reminder that we should try to limit our

1 animals outside, especially when it's after hours, so we're  
2 not disturbing our neighbors.

3 I hope everyone is doing okay with the road  
4 construction. It seems that on Crile Road the businesses are  
5 still doing fine and that's coming along very well. It looks  
6 like Lucky's is still moving along. We hope that that will  
7 open up this summer.

8 And other than that, I hope everybody enjoys the  
9 rest of your summer. It seems like it always goes so fast  
10 after the 4th. I always say that and, before you know it,  
11 it's September.

12 MR. DONDORFER: Yeah, it's almost to the end.

13 MS. LUCCI: That's it, Mr. Chairman.

14 CHAIRMAN McINTOSH: All right. Thank you,  
15 Mrs. Lucci.

16 Mr. Dondorfer.

17 MR. DONDORFER: Okay. Thank you, Mr. Chairman.  
18 First, I'd like to start off by congratulating our Chairman,  
19 Mr. Morgan McIntosh, on his graduation from the Ohio Public  
20 Leadership Academy. It's quite an honor and prestigious  
21 amount of training you went through.

22 CHAIRMAN McINTOSH: Thank you.

23 MS. LUCCI: Yes, very proud.

24 MR. DONDORFER: So I think it is very beneficial for  
25 the township, so congratulations on that.

26 As Mrs. Lucci said, Lucky's is moving along very  
27 well. It seems to be everybody's interest within the  
28 township, with a new supermarket, and they are moving along  
29 quite well, as is Crile Road. That's on schedule. So we're  
30 hoping that we will have both those big projects completed at

1 the same time.

2 I did have a couple residents call me regarding some  
3 minor issues about zoning and new property or the property  
4 that was purchased, I think, from Osborne over on 608 over  
5 there, the old Osborne property, had some discussion. We are  
6 moving forward with our pickleball court here at Town Hall.  
7 And I will be doing a presentation or a brief talk at an Eagle  
8 Scout presentation this weekend at St. Gabriel's pavilion.  
9 That's all I have.

10 CHAIRMAN McINTOSH: All right. Thank you,  
11 Mr. Dondorfer. I also did get a call about that property on  
12 608. You just reminded me of that.

13 MR. DONDORFER: Yeah.

14 CHAIRMAN McINTOSH: I had received a couple  
15 questions about some of the businesses on Crile Road. I  
16 fielded a lot of questions about Item F on the agenda tonight,  
17 a lot of conversation with that. I did receive a call from  
18 one of the managers of a business on Crile Road asking some  
19 questions about the construction and had made a request to  
20 myself and Mr. Rose. I believe he took care of that, so  
21 that's --

22 So I did have a resident call me, interestingly  
23 enough, about signage and some stuff on the merge down on the  
24 State Route 44 just north of Girdled, so we need to maybe  
25 touch with ODOT and see if there was some confusion there.  
26 But yard waste, I know we've had some conversations in the  
27 township with law enforcement.

28 But I did, I did have a chance to spend an entire  
29 week last week in Columbus on the Ohio State University  
30 campus, which I hadn't really been on before. But as you

1 recognized -- thank you for that -- I did have the honor and  
2 privilege of attending the leadership academy at the Ohio  
3 State University, and that was a program that was hosted by  
4 the John Glenn College of Public Affairs. And, ironically, we  
5 graduated at the end of the week that coincided with what  
6 would have been his 100th birthday. So it was, I know that  
7 crowd there, you could tell the staff and the faculty were  
8 very -- You go in that building and it was constructed around  
9 it and there is angles in the building that have to do with  
10 the reentry angle going into the Earth and it's really moving  
11 to be there and there is a lot of stuff about Mr. Glenn and  
12 it's pretty neat.

13 But I got to be part of very unique group. It was a  
14 select group. There was four township trustees, three or four  
15 commissioners, city council members, mayors and state reps  
16 and, actually, one school board member, which was kind of the  
17 outlier. It was a balanced group. Trustees and council  
18 aren't generally partisan but they try to balance it out and  
19 reason and get about a 50/50 on the parties, so it was a very  
20 diverse group. We had men and women and different ethnicities  
21 represented. So I really got a chance to connect with  
22 different office holders and talk about different things, not  
23 only different types of issues, really powerful getting to  
24 connect with the state reps to talk about their process and  
25 how that affects with us and, you know, we're dealing with  
26 some of those things right now with the ARP funds and that.

27 MR. DONDORFER: That's right.

28 CHAIRMAN McINTOSH: So that's been very helpful.  
29 And it was the most unique leadership training I think I have  
30 ever participated in because it was so centered on

1 specifically public office. We discussed things like  
2 colleague engagement, decision making. We got to visit the  
3 Ohio EMA, so that big bunker. We have one here in Lake County  
4 and this one was massive. We did some crisis rehearsal  
5 drills. Just, just valuable.

6 Of course, you don't get into a room of politicians  
7 and not have a talk about issues but it was really impactful  
8 in the sense that, even though issues of the day, as it were,  
9 came up, it was a really great focus on listening and  
10 dialoguing and engaging and it was very, I just thought it was  
11 really powerful.

12 For me, it was an empowering and transformative  
13 experience. I reconnected with my calling. When you think  
14 about why I ran for office and serving a community and just  
15 making a difference, that's really what it was about.

16 So when we wrapped up the week, they asked for  
17 suggestions making the program better and one of the things I  
18 said was, "I didn't know you existed." Now, this was only the  
19 third cohort of this group but I said, "You've got to market  
20 this to the local." We get the Township Association magazine.

21 MR. DONDORFER: Right.

22 CHAIRMAN McINTOSH: They need to be in that. And I  
23 said, "You've got to create some buzz over this because this  
24 is a phenomenal program." So my advice to my co-trustees, if  
25 you get the nod, you take it. It's a great opportunity. I am  
26 grateful for it.

27 MR. DONDORFER: That's great.

28 CHAIRMAN McINTOSH: So thank you.

29 MS. LUCCI: Very nice.

30 CHAIRMAN McINTOSH: With that, we will move on to

1 our department reports, Administrator Rose.

2 MR. ROSE: Thank you, Mr. McIntosh. Members of the  
3 Board, everyone in the audience, good evening. On tonight's  
4 agenda, Items D and E are tied to the pickleball courts. This  
5 is for the surface coat, nets and fencing for the pickleball  
6 courts. That installation is to start next month. This is  
7 the township's portion of that.

8 Our annual audit being conducted by the Auditor of  
9 State has begun, so we are in the middle of that. We're  
10 continuing to work with a couple of potential new businesses  
11 that are very interested in Concord Township. We're also  
12 working with an existing business on potential expansion  
13 plans, trying to help them put those things together.

14 I am coordinating with our Fiscal Office in  
15 completing all the necessary steps in order to receive our  
16 share of the ARP funds that have been allocated.

17 The Town Hall parking lot is scheduled to be  
18 resurfaced sometime. It will be mid to late August when they  
19 get to the resurfacing of the parking lot. The Service  
20 Department will be out there in advance making some full-depth  
21 repairs prior to the asphalt company's arrival.

22 We've called in an electrician that's coming to the  
23 Community Center. We need to evaluate the parking lot lights.  
24 The majority aren't work. It's a safety issue. But we need  
25 to determine the scope of the work and what needs to be done,  
26 so we've brought somebody in to tell us what's going on.

27 And then, finally, you know, Summer Concert Series,  
28 we washed out the last two, as Mrs. Lucci mentioned, so I am  
29 looking forward to seeing everyone at tomorrow's concert with  
30 a great band.

1           So that concludes my report. Thank you, sir.

2           CHAIRMAN McINTOSH: All right. Thank you, Mr. Rose.

3           Okay. So the next item on the agenda is the  
4 audience portion. I do recognize that we have people here  
5 that are specifically wanting to discuss Item F on the agenda,  
6 and that's the approval of the preliminary plan for the Quail  
7 Hollow Plan PUD. So what we will do is I will have folks come  
8 up that want to -- Actually, I will invite the applicant or  
9 the developer up to speak.

10           But I do want to make a clarifying point before we  
11 get into conversation. Realize that the PUD for Quail Hollow  
12 was approved in 1985, that was 36 years ago. So as far as  
13 public hearings, there isn't anything anymore. That occurred  
14 back then. So if you have questions or comments, the Board is  
15 certainly open to hearing or answering them but there is,  
16 there is no public hearing and there is no public input to  
17 this.

18           I don't know, Mr. Lucas, if you want to kind of  
19 clarify the process here as far as PUDs and where we are in  
20 that.

21           MR. LUCAS: Sure. Well, just as a matter of  
22 clarification, the planned unit development was approved in  
23 1986.

24           Second of all, this isn't a public hearing where the  
25 residents express or advocate one position versus the other in  
26 terms of an issue that's ultimately going to be considered as  
27 part of the equation for the approval and that. However, they  
28 can certainly express their concerns and issues and that and  
29 they can be addressed and that as part of the public portion.  
30 So --

1           CHAIRMAN McINTOSH: Okay. So just clarifying that  
2 point. And to that, I will then invite the developer up if  
3 they've got any comments they want to just open up with or  
4 kind of set the stage for our discussion.

5           MR. ROSE: Yeah, please.

6           CHAIRMAN McINTOSH: Of course, if you would, name  
7 and address for the record, please.

8           MR. NOVAK: I have done this once before.

9           CHAIRMAN McINTOSH: I know, I just --

10          MR. NOVAK: Good evening. My name is David Novak,  
11 from Barrington Consulting Group. The address is 9114 Tyler  
12 Boulevard, Mentor, Ohio.

13          As it was mentioned a few moments ago -- Well, first  
14 of all, this is called Ivy Ridge. It's parcel number 30 of  
15 the Quail Hollow PUD. And it's a 31, a little under 31 and a  
16 half acre parcel and, again, it was part of the 1986 Quail  
17 Hollow PUD.

18          I think it's important for everybody to understand,  
19 again, this parcel is currently zoned as a PUD, part of the  
20 PUD, and what we're here for tonight is we are not discussing  
21 a rezoning. This is not a rezoning. It is already rezoned as  
22 a PUD. The original PUD documentation or maps or whatever  
23 that were prepared back in 1986 called for 250, a potential  
24 for 250 units on this parcel. Our plan that we have before  
25 the township this evening is there is 86 detached homes, 45  
26 attached townhouses, for a total of 131 units. Again, that's  
27 119 less than was originally conceived in 1986.

28          There has been some changes that have occurred since  
29 1986 in regard to this piece. And this map that I have here  
30 in front of me, it shows some of the, again, there are

1 wetlands that are on the property, there is some streams and  
2 so forth that are on the property, and those rules and  
3 regulations since 1986 have changed considerably.

4 Another thing that has happened in Concord Township,  
5 July 15, 2016, Concord adopted the riparian setbacks. So,  
6 again, that's another thing that affects this piece of  
7 property. And we've taken all those things into account in  
8 the preparation of this plan.

9 Again, this is, we are going to, our proposal is to  
10 do this in three phases. We are going to start over here on  
11 the east side of the project. Our phase line is going to go  
12 up to here near unit 24 and 67. This is all detached product.  
13 The second phase of this project will be a completion of the  
14 detached product, which is another 42 units. And then the  
15 third phase is this attached townhouses.

16 Again, the detached area is comprised of about 16,  
17 almost 17 acres. The density is a little over 5 units per  
18 acre. The townhouse area is about 6.7 acres. Its density is  
19 about 6.7 units per acre. And the open space that's going to  
20 be part of this project is about 7.8 acres, or 24.8 percent of  
21 the property will remain untouched.

22 So we're here this evening to answer any questions  
23 that the Trustees may have for us, but I am assuming that you  
24 will want to, unless you want to ask any questions of me now,  
25 let your residents speak.

26 CHAIRMAN McINTOSH: Is there anything from the Board  
27 right off? Okay.

28 With that, thank you, Mr. Novak.

29 MR. NOVAK: All right. Thank you.

30 CHAIRMAN McINTOSH: I will then invite anybody in

1 the audience that would like to come forward and ask questions  
2 or speak upon this issue.

3 MS. FRISBIE: Would you like me to stand?

4 CHAIRMAN McINTOSH: Yes. And if you would, again,  
5 your name and address for the record, please.

6 MS. FRISBIE: Sure. My name is Heidi Frisbie and  
7 the address is 11467 Viceroy Street in the township.

8 THE REPORTER: Could you speak up a little?

9 MS. FRISBIE: Absolutely. All right. So thanks for  
10 having us and opening the forum for the residents,  
11 understanding the zoning that was done. And, first, let me  
12 say this. I am a business owner, so I am pro economic  
13 development and I am pro growth, right, for the community.

14 One of the things I would say, though, is we're  
15 looking at something that was zoned in 1986, so we're not  
16 going to argue the zoning. But what I would really like to  
17 understand is what type of impact assessment has been done  
18 because we're not looking at the same township that we were  
19 looking at in 1986 either. So that's really what, as a  
20 resident, I would like to understand because there is a lot of  
21 impact both to traffic, to the school system. This is a large  
22 influx of folks into the community and it really does change,  
23 kind of, especially in our neighborhood where I am at on  
24 Viceroy Street, it really does change our neighborhood and how  
25 we can be impacted by both traffic flow and additional  
26 citizenry. So that's the question that I have.

27 CHAIRMAN McINTOSH: Okay. I think just from a  
28 point, why don't we just get through everybody's questions and  
29 then we will kind of address everything all at the end.

30 MS. FRISBIE: Okay.

1 MR. DONDORFER: Thank you.

2 MR. CROCK: Good evening. My name is Dan Crock. I  
3 live at -- I wrote it down here in case I forgot --  
4 11482 Viceroy Street.

5 So, Dave, I told you I was going to say hi tonight.  
6 So we spoke on the phone a number of times. Unfortunately,  
7 most of it was just recently when it sounded like a majority  
8 of this was already put to bed and a lot of key decisions were  
9 made. And I was a little puzzled over that and, I think, a  
10 lot of other residents on Viceroy Street because we're  
11 impacted the most with the project going in.

12 So I understand that, you know, all this stuff took  
13 place, I guess, 30 years ago as far as zoning. So I'm not  
14 here to talk about that or argue or whatever. But I had  
15 actually spoke to a lot of the neighborhood, the people that  
16 live on Viceroy Street. I know Mrs. Lucci lives over on the  
17 other street in the allotment, also.

18 But it's kind of an odd scenario in a way when I was  
19 thinking about it because we, actually, the name of our  
20 allotment is Preserve North, and it seems just the opposite of  
21 what we're doing, counterintuitive, because what we're  
22 basically doing in having this project go forward is we are  
23 cutting down, literally, thousands and thousands of trees and,  
24 you know, some of them -- I took a little botany in college --  
25 some of them were like 75 to 100 years old. It seems a shame.  
26 But I understand that, you know, we must move forward and this  
27 is a done deal as far as that goes.

28 I told -- Dave and I had some discussions as far as  
29 trying to, you know, maybe preserve -- My daughter lives in  
30 Mountainside Farms. Concord had a ruling in place that

1 everybody had to keep 20 foot of a buffer in their back yards  
2 between the lots for trees, which seemed to make sense. It  
3 doesn't sound like that's a particular option at this point.  
4 I wouldn't mind trying to have that revisited.

5 But my main thing would be this: From where I live  
6 now on Viceroy Street, my property and the Wallacks that live  
7 immediately next door and the other people as you go down,  
8 our, from our back yard, we will literally see probably six to  
9 seven units because, you know, of the vista and all the trees  
10 are going to be taken down, just completely wiped out. So  
11 what I was asking for and some of the, I talked to several of  
12 neighbors, what we would like to see is some type of a mound  
13 put up and have the trees put on that so there would be  
14 affordable privacy not only for us, for the Viceroy residents,  
15 but also would be for the developer's new customers that are  
16 going to come in and buy the house. It would make it a lot  
17 more appealing for both sides.

18 It would be very cost effective in a lot of ways  
19 because you would be kind of dressing both properties at once,  
20 simultaneously as you move down the line, so just a simple  
21 solution. Put some like Norway spruces on there. They seem  
22 to grow pretty quick. And I understand that there was a  
23 staggered thing that came out on the initial thing here --  
24 actually, it might not -- Actually, it does show the trees  
25 right here. But these would go on a mound and then maybe I  
26 was hoping something around 4 foot high and we could put the  
27 trees on top of that and then we'd have a privacy thing going  
28 down the entire street for everybody.

29 So that's just my suggestion and maybe ask, that I  
30 have talked to a number of people about it. Thank you.

1 MR. DONDORFER: Thank you, sir.

2 MR. REZZOLLA: Good evening.

3 MR. DONDORFER: Good evening.

4 CHAIRMAN McINTOSH: Good evening.

5 MS. LUCCI: Good evening.

6 MR. REZZOLLA: Mike Rezzolla, 11470 Viceroy Street.

7 Before I begin, I would like to commend Amy Lucci for  
8 maintaining an open channel of communication and keeping me  
9 and some of the others in the loop regarding the Ivy Ridge  
10 development. I wish that I was able to actually have a  
11 picture of what our back yards, living three doors down from  
12 Dan, look like right now, 100 to 200 feet of mature trees and  
13 that's all we look at and it's beautiful.

14 My own fault, buyer beware. When I purchased that  
15 property five years ago, I was unaware, I was under the -- And  
16 it's my own fault. I thought it was Lake Metroparks but I  
17 didn't know that there was possibly further development. And  
18 besides the aesthetics and the beauty of it, obviously, it's  
19 going to impact our home values as well. I don't see them  
20 being enhanced by this. My wife and I sat on our porch and  
21 patio today 5:30, 5:00 in the afternoon, total shade. We will  
22 have nothing but sun just beating down on us from here on out.  
23 We might as well be on that ninth hole of the Weiskopf course.

24 I understand that this was all done in 1986 and all.  
25 I am a little further north, so I guess what I am going to get  
26 is the retention pond. We do have drainage issues right now  
27 and, as a matter of fact, right along where the property line  
28 is. During these heavy storms that we had in July, I  
29 literally had a running creek going through there. I know  
30 there is going to be a retention pond put in that area behind

1 my house, as well as two others.

2 My question regarding this pond -- I mean, I see  
3 retention ponds in developments as you travel about -- the  
4 depth of it. How much water will it hold? Will it be  
5 maintained? Will it be chemically maintained? You know, are  
6 we going to have nothing but bugs, geese, you know, throughout  
7 our back yards now as well? So that would be my major  
8 concern.

9 And I know Dan touched on the buffer. You know, at  
10 this point, it's probably the best we can ask for. Again, I  
11 am highly, highly disappointed and the beauty of this area, of  
12 this development is totally going to be lost. But I would  
13 like to see something done in the way of a buffer so from what  
14 I am looking at now compared to what I am going to be looking  
15 at isn't as bad as I hope, well, I hope it's not as bad as I  
16 think it may be. So thank you for your time and thanks again,  
17 Amy.

18 CHAIRMAN McINTOSH: Thank you.

19 MR. VITAZ: Good evening. Name is Dave Vitaz at  
20 8075 North Orchard Road, the other road that's already in.  
21 Viceroy, at least, they're getting a new road over to do  
22 draining and things like that.

23 To give you a little history, I was the first  
24 builder over on North Orchard. Again, there were no  
25 utilities. I paid to have the water line brought down.  
26 Again, the utility companies then brought the gas, water and  
27 all those down. But with that then as the neighbors built, I  
28 charged them to tap in, so I did recover that. But, again,  
29 that's how long ago that I was there.

30 Also, we were told when we moved in that behind our

1 property -- And, again, we look right at the, I think it's the  
2 eleventh green, eleventh or twelfth green of the Weiskopf  
3 course. We were told that, due to setback requirements and  
4 that, they really could put a road behind there but they  
5 couldn't build any houses. With this new plan, you will see  
6 that there are about four houses now that are going back  
7 there. So I don't know what happened, what occurred with the  
8 setback requirements and things like that. Again, we talk  
9 about that 20 feet easement that were originally in but I  
10 guess they're not in anymore.

11 What I would like to ask is why that or how that was  
12 changed or when it was changed or, again, because every, when  
13 you have abutting, adjoining property owners, there is a  
14 requirement that the one property has to have a setback of 20  
15 feet. Where the developer now is butting up to the Quail  
16 Hollow Golf Course, which is owned by Quail Hollow, I assume,  
17 not by the developer, is why they don't have a 20 foot  
18 requirement. By eliminating that requirement, they were  
19 allowed to, they're allowed to build these houses that are  
20 back there now. So I ask that question about the setback and  
21 the requirement.

22 We talked to the developer about putting a mound to  
23 separate the, again, the roadway and our property, and he had  
24 agreed to it; but then recently as yesterday, I think it was,  
25 he called and said he couldn't put a mound in because it  
26 would, the mound would be on top of the utilities that are  
27 going along the road, so -- and utility company won't allow  
28 that. So we still haven't decided what the alternative might  
29 be.

30 Drainage is a huge problem by us. We have wetlands

1 over there. Again, because the road just has ditches on the  
2 side and it's more of a, kind of, a tar and chip type road  
3 because it's so old, again, I don't know how they're going to  
4 divert the water to clear the area. Right now, again, like  
5 you all have flooding, we have flooding, too, along the side  
6 of our house.

7           Talked to the developer, too, because he was talking  
8 about clear-cutting all the phases, again, cutting down all  
9 the trees. We asked them that because the phase by us is kind  
10 of in the future, a couple years in the future, if he could  
11 stagger his clear-cutting to allow us, at least, not have a  
12 wide open field for a couple years. And, again, he said he  
13 would consider it but I don't know where he's come up or what  
14 the results are yet.

15           Again, I think the, like was mentioned before, what  
16 kind of surveys have been done of the traffic because you're  
17 taking a little country road, cul-de-sac road and now you're  
18 going to dump a hundred, over a hundred vehicles there a day  
19 and they're going to end up on Girdled Road, and from Girdled  
20 Road they're going to travel west to 44 and that light that's  
21 there. There is no real turning lane right. Again, it gets  
22 backed up now sometimes in the morning and I can only imagine  
23 what's going to happen in the future. Even getting out of  
24 North Orchard Road in the future will probably be difficult.  
25 So, again, there is -- We are talking about hundreds, over a  
26 hundred vehicles every day going through.

27           So, again, the developer has talked about putting a  
28 fence up along my western property line, which we had agreed  
29 to that because, again, with all the houses that are there.  
30 And we're hoping that there is some restrictions on, I guess,

1 storage sheds and things like that that would be right there  
2 and visible. And, again, I don't know if you, Viceroy, is  
3 going to have that same problem but we're hoping that there  
4 are some restrictions that are placed so that, you know, those  
5 things don't happen.

6 That's about all I have. But hopefully, hopefully,  
7 it can be addressed and it can be a successful project. Thank  
8 you.

9 CHAIRMAN McINTOSH: Thank you, Mr. Vitaz.

10 MS. LANNAN: Hi there. So my name is Stephanie  
11 Lannan. I'm a resident of 11391 Girdled. Thank you for the  
12 opportunity to speak tonight. While I recognize the benefits  
13 of this project and what it's going to bring to the community,  
14 I have a couple of concerns I'd like to address. First and  
15 foremost is the matter of safety and visibility on Girdled  
16 Road. From where I am lying, at the end of my driveway, as  
17 well as the end of Timber Lane, if you're looking, the  
18 southern visibility is very poor. There is a divot, a large  
19 hill, that at 45 miles an hour when cars are coming up that  
20 hill and people are turning out from either our driveway or  
21 from Timber Lane, accidents, numerous accidents. And I can't  
22 give you an exact, specific number but I am sure the Sheriff's  
23 Office could provide that. People have wound up in a ditch,  
24 either my ditch or the ditches across the street on average  
25 once a month in front of my house. So I am seeing a lot of  
26 the sheriff. I am seeing a lot of tow truck companies. It's  
27 great to be on a first-name basis with them but I only imagine  
28 that that that will increase with this added traffic.

29 My second concern pertains to opening the canopy  
30 line on the edge of mine, as well as Jay and Mary Jo's

1 property. This is going to cause some potential damage to  
2 roots and other trees on that property line. So one thing I  
3 would like to ask of the developer is that, while they're  
4 removing those trees for this road, they continue onto the  
5 properties themselves and remove any potential hazards that  
6 make strike. I don't want to be responsible for that later on  
7 down the road.

8           And then last but not least, I would also like to  
9 propose one final thing to the council and the project team's  
10 consideration, is that the continuation with the privacy  
11 fences or forms of, whether it be the spruces along those  
12 sides of my property, as well as Mary Jo and Jay's property.  
13 I think, aesthetically, this would be pleasing to our incoming  
14 members and residents if we were to continue those privacy  
15 fences. It would offer a lot to the incoming community.

16           So those are my concerns. Thank you very much.

17           MR. DONDORFER: Thank you.

18           MR. ROSE: Thank you.

19           MS. LAZUKA: Hi. Chris Lazuka, 8130 North Orchard  
20 Road. I think a lot of people have already echoed a lot of my  
21 sentiment about this, but I guess the one thing -- And, first  
22 of all, I wanted to thank a couple of you, Carl and Morgan and  
23 even Todd, have been very responsive as we've asked a lot of  
24 questions and so I wanted to thank you for that.

25           But the one thing I keep, I guess, zooming in on is,  
26 being on North Orchard, is, you know, when or was it  
27 permissible for this PUD to connect to North Orchard? You  
28 know, as David mentioned, it is going to introduce a  
29 tremendous amount of traffic on a very small street. And I  
30 was confused because I'd swear -- and I can't find it now --

1 but I'd swear when the original PUDs showed an access drive  
2 coming in off of the Hygrove area and not on Orchard, and  
3 maybe this is a simple answer that they can just connect  
4 wherever they can. But I just was curious about whether that  
5 was done in a permissible way or if it was -- how that  
6 happened.

7 MR. LUCAS: Mr. Chairman, may I address that?

8 CHAIRMAN McINTOSH: Yeah.

9 MR. LUCAS: Chris, we've been, we've been tasked  
10 with trying to locate where that was approved and that,  
11 assuming or whatever legislative action was taken regarding  
12 that connect. So we've got to go from today back to 1986  
13 because it was, I am sure, it was a phasing component. So  
14 we're still searching for that. We've gone through this  
15 century and now we're into the 1990s and moving backwards  
16 to -- And we haven't located it yet.

17 So, right now, I am not giving you an answer because  
18 we haven't found in any of the council minutes and that a  
19 particular phase that dealt with that specific issue and that.  
20 And I guess the main point, we are trying to find it but we  
21 have to go backwards a considerable amount and we're back in  
22 the 1990s and up to --

23 MR. LAZUKA: Yeah, we barely had the internet then.

24 MR. LUCAS: Yeah, yeah.

25 MR. LAZUKA: I understood, my understanding of  
26 PUDs -- and I am not an expert, by any means -- but they  
27 seemed to be very well defined, very, you know, very specific,  
28 right? And so --

29 MR. LUCAS: Well, they are. And, again, the overall  
30 PUD, when -- as I am sinking here -- the overall PUD was

1 intended to be developed in 12 phases when it was approved in  
2 1986 and that was actually the preliminary plan that was  
3 approved identifying 12 phases over the course of 13 years  
4 depending on how the economy was and everything. So in that  
5 regard, the real specificity regarding street connections and  
6 that when they submit a final development plan for a  
7 particular phase is what, hopefully, we will find that will  
8 address that question you have and that. But we've got to  
9 look at final development plans for each phase that moved  
10 forward from 1986 and that. So as I said, we're in the 1990s  
11 now moving backwards.

12 MR. LAZUKA: Okay.

13 MR. LUCAS: So, you know, and by the way, call me  
14 anytime and I can give you an update where we are on that  
15 because, actually, the building department is really working  
16 on it, I'm not.

17 MR. LAZUKA: Oh, okay.

18 MR. LUCAS: But I am in touch with the building  
19 department and also with the township Administrator, in  
20 particular, with reference to that specific question and that.  
21 So that's on a front burner from our perspective trying to  
22 find. Okay?

23 MR. LAZUKA: All right. I will follow up with you  
24 on that. Thank you.

25 MR. LUCAS: Yeah.

26 MR. LAZUKA: Then I think, again, most people said  
27 other things I was going to say, but I know a lot of us are  
28 just crying over spilled milk. This development is going to  
29 happen. But I was thinking about how this property sat  
30 undeveloped for 30 years. Well, a lot happened around it in

1 that time frame, right? You had a lot of, you know, large  
2 size lots. You've got an extreme contrasting community about  
3 to drop in here. And, you know, when does zoning kind of take  
4 another look? When these properties sit undeveloped for so  
5 long and all this happens around them, when does zoning kind  
6 of take a position to defend the existing community, right?  
7 Is it ever reviewed or, kind of, taken into conversation when  
8 these properties sit empty and you've got a lot happening  
9 around? Like, I guess, I felt like this is -- And we learned  
10 kind of at the last minute. So we are scrambling to kind of,  
11 you know, do anything, right?

12 We all love that area. It's so beautiful. So just  
13 food for thought maybe for the future, future properties that  
14 are sitting undeveloped that all these beautiful neighborhoods  
15 go into and then you drop this in here. I don't know, just my  
16 thought. That's all.

17 Oh, sorry, last thing, just to echo Dave as well on  
18 that Phase 3 side, if that clear-cut could be delayed, a lot  
19 of people would appreciate that. I mean, if the housing  
20 market were to collapse the next year, you've got this  
21 wasteland of, you know, beautiful forest cut down. So thank  
22 you.

23 CHAIRMAN McINTOSH: Thank you.

24 MR. DONDORFER: Thank you.

25 MR. SCARVELLI: Russ Scarvelli, 11534 Malachite  
26 Court, Nature Preserve North. My wife and I moved into  
27 Concord 2012 and we've been very happy with the leadership  
28 that Concord has. I am beginning to have an issue with the  
29 fact that we had moved here because it was more of a rural  
30 community and now it's turning into downtown Cleveland with

1 all the establishments that are coming in, and that's fine.  
2 It's still a mile and a half, two miles away from our  
3 residence, but now we are getting closer. They're going to be  
4 putting more development in.

5 And now I've got to worry about whether or not the  
6 sewer systems is even going to handle it. It's a terrible  
7 shame when you know that the water, the water pressure gets  
8 lower, especially when they put the new development down there  
9 on Crile Road, in the Crile Road area, in addition to all the  
10 businesses they put down there.

11 This was done in 1986. Isn't there a statute of  
12 limitations that it should have been done before now? And  
13 shouldn't the new people who are coming into the Concord  
14 Township been made aware that there is going to be more  
15 developments coming that we can say, "Okay, I don't want to  
16 live here"? I think that's, you know, another one.

17 I mean, like, it was written down, you know, we  
18 moved into a township that's turning into a major city now. I  
19 mean, we need answers as to why things are being implemented  
20 from 1986 and there's been changes, as Mr. Novak has pointed  
21 out that everything that was going on in 1986, there's been  
22 some changes or there were stopping him. They need to -- I  
23 think it should go on the ballot. I think the people have a  
24 right to vote whether or not they want to have a larger  
25 community than what we moved into. This was the reason why we  
26 moved out here, because it was a small area. That's all I  
27 got.

28 MR. DONDORFER: Thank you.

29 CHAIRMAN McINTOSH: Thank you.

30 MS. MANDZAK: Hi. Brandi Mandzak, 11471 Viceroy.

1 Again, I echo all the sentiments of my neighbors and fellow  
2 residents. You know, one thing, as I look at this, and  
3 particularly dovetailing off of what you were just saying,  
4 this doesn't feel like the Concord, also, that we chose. So  
5 I'd love to just hear more about, you know, what is the  
6 vision? Why was this selected? You know, even in terms of  
7 property values, like, this is very compact and condensed, you  
8 know, the division that's being put in. I'd love to hear what  
9 the goals are in terms of the list prices for these homes.  
10 Are the townhomes going to be condominiums? Are they sold as  
11 single units or is this a rental situation? I mean, all of  
12 this greatly impacts what we invested in as homeowners and  
13 what we've continued to invest in.

14 My heart breaks for my neighbors across the street  
15 and, personally, I love looking out the windows and just  
16 seeing all the woods and, I mean, that's characteristic of,  
17 you know, the development that we chose to live in, and that's  
18 Concord Township. That's why we came here instead of all the  
19 different places that we could have selected in northeast  
20 Ohio. We lived in a larger area.

21 So I would just love to hear a little bit more, you  
22 know, why this vision? Why so many homes and not just  
23 utilizing a space to have, you know, similar homes that are  
24 the appeal of this area rather than a Mentor or somewhere  
25 elsewhere where any of us could have lived but we chose  
26 Concord because of the virtues that were offered, you know,  
27 being a resident here.

28 So, you know, that's my two cents. I mean, it is  
29 rattling. We just learned of this yesterday. So maybe others  
30 knew but we did not know and it directly impacts us. So thank

1 you.

2 CHAIRMAN McINTOSH: Okay. Anybody else? I do know  
3 we have one participant on the phone, so I will ask if  
4 Ms. Pesech has any questions or comments.

5 MS. PESEC: I would just like to say that I think  
6 that one of the solutions to a lot of these problems where  
7 there is existing subdivisions and then there is a new  
8 subdivision that is proposed or an RCD, a PUD or whatever, is  
9 that if the Trustees would ask the Zoning Commission and then  
10 follow through with reasonable setbacks to safeguard existing  
11 subdivisions, that would greatly make the existing subdivision  
12 less prone to this, you know, bulldoze all of the tree and you  
13 look right into somebody's back window. So I think that on  
14 all of this, significant time should be spent on looking at  
15 all the zoning text and increasing setbacks and making sure  
16 that no timbering or anything is allowed in those setbacks and  
17 I think that would help a lot.

18 And I really feel sorry for the residents and I know  
19 the preliminary plan, you are approving a preliminary plan and  
20 you have a fair amount of leeway in terms of what you can and  
21 can't approve. So I hope that you will help the resident as  
22 much as possible.

23 CHAIRMAN McINTOSH: Okay, thank you.

24 Okay. I guess I am not hearing any further  
25 comments, so a couple of things. I have spent 10 years on the  
26 Zoning Commission prior to being a trustee. So with respect  
27 to development in Concord Township, I'd like to sort of  
28 reiterate something our law director said at the start of it,  
29 this project was approved in 1986. So the comments about a  
30 lot of the issues here when we're talking about traffic, we're

1 talking about the schools, and we're talking about the appeal  
2 of Concord Township and all of that, again, the zoning  
3 decision was made to that effect back in 1986.

4 I think Mr. Novak brought up the fact that the  
5 zoning would permit for a much, much higher density of over  
6 200 homes versus their proposal of 130. So just try to put  
7 all of this development, so to speak, in perspective and then,  
8 again, going back to acknowledging that we're not really in a  
9 position where we can deny this. I heard a lot of comments  
10 about, why are we allowing it? Again, the decision was made  
11 35 years ago, so that ship has kind of sailed to that point.  
12 So we're only here to see through the PUD as it's being -- as  
13 it was written in 1986 and as this particular proposal is  
14 being presented to the Board.

15 So I think there's a couple questions that have come  
16 up with respect to buffers, mounding, trees, drainage. I know  
17 I have had some conversations with the developer but, I guess,  
18 I would give them an opportunity if there is anything they  
19 would like to address with respect to some of the questions  
20 that we had from the audience.

21 MR. NOVAK: Well, again, and I can appreciate a lot  
22 of the comments and so forth that people made. Again, we've  
23 tried to have some conversations with some of the adjoining  
24 neighbors. There are some key areas. For instance, this is  
25 along Viceroy, the back yards of the people on Viceroy. But  
26 this plan would take in, would have to have some participation  
27 from these residents. We are proposing to, at minimum, put a  
28 single row of trees on our side of the property. If they  
29 would -- And these would be pine trees in the neighborhood of  
30 5 to 6 feet tall. The variety that we were going, are

1 proposing, I don't remember what they were. But, again, in  
2 probably in 5 to 10 years there would be a dense wall of trees  
3 there so these residents won't see through. But if these  
4 residents over here would like us to, we were willing to go  
5 onto their property and, in between each one of these trees,  
6 add another tree so, again, that buffer or that screen will  
7 occur sooner than later.

8           And then, also, somebody mentioned about a mound.  
9 Again, we can put a mound here but we have some grading and  
10 drainage things that we have to address along that line. So  
11 normally when you create a mound, it's at a 3 to 1 slope.  
12 Just for somebody who might not understand what a 3 to 1 slope  
13 is, you go out 3 feet and you go up 1 foot. And that is a  
14 maintainable slope, meaning that you can drive a lawn mower  
15 across that slope and you don't roll over.

16           So if we only have 10 feet on our side of the line,  
17 the mound is only going to be a foot and a half. I am not  
18 going to say a foot and a half isn't beneficial but it's not a  
19 6 foot mound, it's not an 8 foot mound, so it is going to be  
20 very limiting. Now, again, if the folks along here are  
21 willing to allow us to cross that property line, now we have  
22 an area that's 20 feet wide. We might be able to get a mound  
23 that's 4 feet tall. But, again, that would mean going onto  
24 your property.

25           In talking with Dan, you know, he mentioned that,  
26 again, right now with these rains that we've had, that he has  
27 a lot of water flowing through his back yard. Well, as part  
28 of the regulations, we will have to capture all the water up  
29 to our property line. So we will have a swale of some sort,  
30 some drains through here and take it to the detention basin

1 that's down here. So that will really help that off-site  
2 water that's flowing onto the Viceroy property, the backs of  
3 these yards. We will capture that and it will not continue to  
4 go onto their property. So, again, that should help them.

5 There is two other locations. Again, this is  
6 Orchard. This is Lazuka here. Again, we agreed to put a  
7 fence along that property line to help shade or screen that  
8 area, and also along Vitaz's westerly property line.

9 The other area that Mr. Vitaz is concerned about is  
10 back here. Again, we're showing to put some trees there, but  
11 from the property line to the edge of the road, there is 26  
12 feet and we have to have the road, we have to run utilities  
13 and so forth through there. So it's limited to what we, what  
14 we can do.

15 And also down here, I think Mr. Vitaz commented  
16 about down Orchard Road, when you have these heavy rains, the  
17 water flows down those ditches and it diverts on both sides of  
18 Mr. Vitaz's property. What we have agreed to do is to go out  
19 into Orchard, put some drains in there, capture that water  
20 before it gets to Mr. Vitaz's property and those people down  
21 on the cul-de-sac and route that water through our development  
22 and into our detention basin.

23 So, again, we're trying to be a good neighbor.  
24 There is -- Let's see. What else? At this time, we don't  
25 plan to have, allow storage sheds in this development.

26 Oh, and there was a comment about Phase 3, which  
27 Phase 3 is where the attached product, the townhomes, would  
28 be, about potentially not clearing that until we got to that  
29 phase. Part of the problem with that is that, when you have a  
30 wetland delineation done and you go through the process with

1 the Ohio EPA and the Army Corps, once they issue you a permit  
2 and you have wetlands that you are going to impact -- and we  
3 do have some wetlands that we are going to impact and they're  
4 hatched here on this plan, like here, there is one here in  
5 that third phase -- we only have, I believe it's two years.  
6 It might be less. I don't want to be quoted or held to that  
7 date. But we have to fill those wetlands in sooner than  
8 later. We can't wait five years or three years. The Army  
9 Corps permit requires us to do that. So we need to clear the  
10 property. We need to fill those wetlands in or we will have  
11 to go through the entire permitting process again, and that's  
12 not something that we would want to do.

13           There was also a comment about sanitary sewers.  
14 Again, when this project was, when Quail Hollow was developed,  
15 even when Viceroy, there was a sanitary sewer stub that goes  
16 through the, these lots right here -- I don't know what  
17 sublots these are -- as part of this, and this sanitary sewer  
18 services about half of this project. And when this, when  
19 Hygrove was developed, there is a sanitary sewer that comes  
20 along the golf course and services the other half of the  
21 property. So, again, there is capacity within the sanitary  
22 sewer system governed by the or controlled by the Lake County  
23 Utilities Department.

24           So I don't know if there was other questions that  
25 the Board has for me.

26           MR. DONDORFER: As far as the -- I think there was a  
27 question from Mr. Rezzolla about the retention basins. What  
28 would those look like?

29           MR. NOVAK: We haven't completed the design yet to  
30 determine whether they will be wet or dry ponds, so I don't

1 know that answer fully. But they will be maintained by the  
2 homeowners' association. But on top of that, in Lake County,  
3 the Lake County -- What will happen when these plans, the  
4 improvement plans are approved, the developer has to, there is  
5 a mechanism within the Lake County Engineer's Department,  
6 okay, and they have the right to come out and inspect the pond  
7 to make sure that it's functioning properly. And in order for  
8 the pond to function properly, it needs to be maintained  
9 because if you get trees growing out of it or whatever and it  
10 blocks the outlets to the pond or the inlets or whatever, it's  
11 not going to function as it is intended.

12 And so the homeowners' association would be required  
13 to maintain that pond but, also, the Lake County Engineer's  
14 Department will oversee to make sure that it's being  
15 maintained properly.

16 MR. DONDORFER: Now, as far as the original PUD, you  
17 said there's been a substantial reduction in the number of  
18 proposed units.

19 MR. NOVAK: Yes. The original PUD for this property  
20 here, it was under multifamily. There is a map that's  
21 floating around and it clearly shows that the intent or the  
22 thought back in 1986 was that this piece of property could  
23 support 250 units. It couldn't do that really today because  
24 of some of the things, again, that I spoke about earlier,  
25 wetlands, streams that are controlled by the Army Corps and  
26 the Ohio EPA, and then Concord added the riparian setbacks.  
27 So that's diminished the useable property.

28 MR. DONDORFER: So with the current proposal, you're  
29 looking at, I think, it's 131 units?

30 MR. NOVAK: Yes.

1 MR. DONDORFER: Which will result in more green  
2 space within the plan?

3 MR. NOVAK: Yes, I mean, it would. Again, if this  
4 property was developed with 250 units, it would be very  
5 compact, to say it nicely. Okay?

6 CHAIRMAN McINTOSH: If you are saying you don't  
7 think it could support 250 units, what do you think, with the  
8 current regs, where would you be if you went another route?

9 MR. NOVAK: Probably around 230.

10 CHAIRMAN McINTOSH: Okay.

11 MR. NOVAK: So it's not a large reduction but,  
12 again, you wouldn't have the open space and so forth, you  
13 know. We're at almost 25 percent of this development is open  
14 space.

15 CHAIRMAN McINTOSH: So would you say, when  
16 considering, at least, from the perspective of the developer  
17 as far as addressing some of the concerns, you know, if we go  
18 back and listen to folks talking about the impact and trees  
19 being cut down and vistas changing and that, would this, would  
20 this proposal that we have before us be the version that would  
21 do the best job presenting -- preserving things? In other  
22 words, if you went the more higher density route, would the  
23 impact be greater?

24 MR. NOVAK: If we went from the 131 units to the  
25 230, 250, there would be less open space, I think that's, if  
26 that's the question.

27 CHAIRMAN McINTOSH: Yeah. I guess what I am saying  
28 is we're hearing people talk about cutting down trees and so  
29 forth. And in my view, in discussing with you over this  
30 period the last few months that you've talked about this, is

1 that if it were to go a different route with that, you would  
2 have less green space and we would have, obviously, more  
3 units, up to 100 more units in there.

4 MR. NOVAK: Right.

5 CHAIRMAN McINTOSH: So I guess what I am saying is  
6 the impact, the concerns we have heard expressed tonight would  
7 be magnified and this is the more palatable version of making  
8 this as low impact as possible, that this is the plan.

9 MR. NOVAK: Yes, this is lower impact than the 250  
10 units.

11 MS. LUCCI: I just have a question. Was there a  
12 traffic study done?

13 MR. NOVAK: No. I mean, on one of the drawings  
14 there is a table that, on this page 2 here, there is a table  
15 over here that talks about what the traffic, based on standard  
16 tables, what those traffic counts would be at peak and so  
17 forth.

18 CHAIRMAN McINTOSH: Mr. Lucas, I was wondering. I  
19 know that when we do rezones, we're often pressed with the --  
20 or the developer often does a traffic impact and that's a  
21 process with ODOT. And I don't know if either you or  
22 Mrs. Freeman can comment. But being that this was prior  
23 approved, is there any, is there any way we can require a  
24 traffic study or is that relevant or is it, because the PUD  
25 was approved already, that's not part of the process?

26 MR. LUCAS: Well, the township preliminary plan  
27 criteria under 16.12 does indicate that the preliminary plan  
28 should have a complete traffic impact evaluation, which shall  
29 include existing and proposed vehicle or traffic patterns, the  
30 potential location of parking service areas within the

1 commercial center, if any, and the estimate of traffic volumes  
2 to be generated, including existing and proposed major  
3 intersections which will serve the proposed PUD and its  
4 immediate surrounding area.

5 So that is a criteria under 16.12, paragraph F, in  
6 terms of a township preliminary plan approval under a PUD.

7 CHAIRMAN McINTOSH: So they need, this would need to  
8 be performed?

9 MR. LUCAS: Well, to meet that criteria, yeah, I  
10 think so.

11 MR. NOVAK: But, again, if you read, if you read  
12 that again, I believe that we have met that criteria by  
13 outlining what the traffic -- Actually, like I said, on  
14 number 2 here it does. We have estimated what those  
15 additional cars would be for this development.

16 MR. LUCAS: So let me ask you the three components  
17 of it, Dave, and you tell me if it's in there or not. All  
18 right?

19 MR. NOVAK: Okay.

20 MR. LUCAS: Okay. So you have identified existing  
21 and proposed vehicle or traffic patterns?

22 MR. NOVAK: I would have to say no to that.

23 MR. LUCAS: Okay. Well, that's required. Then  
24 number two, the potential location of parking and -- Well,  
25 that's not applicable because it's not a commercial center.  
26 Okay. And number three, the estimate of traffic volumes to be  
27 generated, including existing and proposed major intersections  
28 which will serve the proposed PUD and its immediate  
29 surrounding areas. Have you done that?

30 MR. NOVAK: I would say half of that because we have

1 estimated what the additional traffic that will be generated  
2 because of this development.

3 MR. LUCAS: Okay. So, again, I am not trying to be  
4 argumentative with you but you've done one and a half or,  
5 actually, you've done a half of the two criteria. Is that  
6 fair to say?

7 MR. NOVAK: I would say you are correct. However, I  
8 guess my question for you, Mr. Lucas, is when was that traffic  
9 study supposed to be done? Was that traffic study supposed to  
10 be done in 1986 or is that traffic study supposed to be done  
11 today?

12 MR. LUCAS: They did a traffic impact study,  
13 actually, in 1986. But under this particular provision that  
14 I've quoted, and to some extent relative to Mr. Lazuka's  
15 question, which we're still trying to find the answer to, each  
16 phase provides more detail -- and you know this better than I  
17 do -- each phase provides the detail for the phasing to begin  
18 as a complement to the overall PUD approval which occurred in  
19 1986, and that's what you're doing now by presenting this  
20 preliminary plan.

21 And, you know, the only thing I can say with  
22 reference do that is that, certainly, the detail for this  
23 particular phase under, you know, Mr. Victor's property  
24 certainly contemplated this particular component that I just  
25 quoted to you under 16.12(F) for presentation. Again, the  
26 purpose is not for me to be argumentative with you because  
27 that's not my way, as you know, but I am pointing out what is  
28 required. All right? And which, that's why I directly asked  
29 you, Have you done this?

30 MR. NOVAK: Again, my counter to that is, again,

1 because there was an impact study done back in 1968 and we're,  
2 our density is about half of what was conceived back in 1986.

3 MR. LUCAS: Yes.

4 MR. NOVAK: So I would argue the fact that, if we're  
5 doing less, let's say half, of what was proposed back in 1986,  
6 that we would have met or been below those impacts that was  
7 anticipated back in 1986.

8 MR. LUCAS: Well, I've looked at the traffic impact  
9 from 1986. And, again, you know this area better than I do  
10 but that is not correct, number one. And I would say, you  
11 know, a nice try but it's not -- I don't mean to make light of  
12 that either, Dave, you know. It's not persuasive and it's not  
13 in conformity with each submission of a development plan,  
14 preliminary development plan for each phase under that 16.12.  
15 And I am willing to be educated on it but --

16 MR. NOVAK: Again, I am not a traffic engineer.

17 MR. LUCAS: Well, I am not either, but I know it  
18 requires that.

19 MR. NOVAK: Okay.

20 MR. LUCAS: Because I am a lawyer. So, I mean, I  
21 think you need to tune that up a little bit. And take a look  
22 at the section. I am willing to be educated on it but I, you  
23 know, I don't have a big ego either but I am right.

24 MR. NOVAK: So am I, Mike, so am I.

25 MR. LUCAS: Yeah, I know you are. Thank God we  
26 checked our egos at the door before we came in.

27 MR. NOVAK: Most of mine anyways.

28 MR. LUCAS: Yeah.

29 CHAIRMAN McINTOSH: All right. I do know that we  
30 have another resident that would like to speak or raise

1 questions, so I am going to -- Two things: I am going to ask  
2 the Board if there is any more questions for Mr. Novak or,  
3 Mr. Novak, if you have anything else for us at this time?

4 MR. ROSE: I have one thing, Mr. Chair, I want to  
5 make sure we capture.

6 Ma'am, I am sorry. I didn't catch your name but I  
7 know you are at 11391 Girdled, right?

8 MR. LANNAN: Stephanie Lannan.

9 MR. ROSE: Thank you.

10 She had talked about, you know, the folks on  
11 Viceroy, the folks on North Orchard. I think she is asking  
12 for the same thing with some screening or some fencing. So I  
13 don't want that to get lost in this conversation. It was the  
14 only thing that wasn't covered when we were talking about  
15 trying to do some buffer work and I think it's on the, right  
16 there where you are going into Girdled. No, sir, up.

17 MR. NOVAK: Right here?

18 MS. LANNAN: Yeah. Lot 86 will back up to the end  
19 of our property.

20 MR. DONDORFER: Eighty-six, you said?

21 MS. LANNAN: Yeah, 86 abuts right up to the 20 feet  
22 of trees that are going to be left, and then we'll also have  
23 the street that's being built on the side.

24 MR. NOVAK: Yeah, that area right there along 86 is,  
25 actually, we are planning to preserve those trees along that  
26 line, probably about 10 feet strip of trees.

27 MS. LANNAN: The major, the major concern would be  
28 where the road is coming in through the property lines.

29 MR. NOVAK: Well, again, the problem there is that  
30 that strip of land is only 60 feet wide and we have a road

1 that's 23, the pavement width is 23 feet.

2 MS. LANNAN: Yeah.

3 MR. NOVAK: And we have utilities that have to come  
4 down through that area. So it's very limited as to what we  
5 can and can't do.

6 MS. LANNAN: We would be willing to work with you on  
7 that, for sure, and the team.

8 MR. NOVAK: Well, we can surely meet and have that  
9 discussion and see what we can, we can do.

10 MS. LANNAN: Definitely.

11 MR. ROSE: Thank you, Mr. Chair.

12 MS. LANNAN: Thank you, sir.

13 MR. ROSE: Yes, ma'am.

14 CHAIRMAN McINTOSH: Is there anything else for us?

15 Okay. Here is what I am going to do. Being as,  
16 again, this is not technically a public hearing, this is  
17 really just the audience participation point of the second  
18 trustee meeting of the month, what I am going to do is request  
19 if anybody has questions, I'd like to really confine this to  
20 questions rather than statements simply because, if we're  
21 going to rehash -- I mean, if you have a question for us or  
22 the developer or a brief statement to make, I kind of want to  
23 make sure that we don't get out of, you know, because we only  
24 have so much latitude as far as dealing with the PUD. In  
25 fact, our constraint is quite narrow.

26 So, again, when I talk, when we talk about a lot of  
27 these concerns, I want to remind you that, when it comes to  
28 water and drainage, that, as Mr. Novak said, we do have county  
29 agencies that are -- and I know that we just went through this  
30 with an actual rezone where stormwater features aren't

1 designed yet but calculations are done and does affect. So in  
2 those cases, a lot of these things are estimated as  
3 preliminary. And as they get developed, I don't want the  
4 community to be concerned about preliminary in the sense that  
5 they're just estimates now, but when they go through the  
6 process, they do have to be approved by these agencies. And  
7 just because they're preliminary doesn't mean they're going to  
8 be engineered to be inadequate.

9 So speaking along those lines, I would release  
10 Mr. Novak. And then if anybody has any other questions or  
11 very brief comments because, like I said, there is only so  
12 much we can debate or discuss tonight.

13 MR. SCARVELLI: I think --

14 MR. NOVAK: You need to go to the microphone,  
15 please.

16 MR. ROSE: Thank you, sir.

17 MR. SCARVELLI: My question is, we have two areas at  
18 the end of Viceroy and at the end of Butterfly on the north  
19 side that have gates up. Are those going to be opened up  
20 because of this new development so that people can travel  
21 through Nature Preserve?

22 CHAIRMAN McINTOSH: Mr. Novak is indicating no.

23 MR. SCARVELLI: No, okay, good. What is the value  
24 of these new homes that are going to be coming in?

25 CHAIRMAN McINTOSH: I will let Mr. Novak speak to  
26 that. Actually, let's get all the other questions and then we  
27 will kind of transition.

28 MR. SCARVELLI: One other one, because it's been  
29 since 1986, is there a possibility that the new residents can  
30 now vote on another ballot?

1 CHAIRMAN McINTOSH: Vote for what?

2 MR. SCARVELLI: As far as putting in a new  
3 development at Quail Hollow.

4 MR. LUCAS: I am not -- I am sorry. I don't --

5 MR. DONDORFER: I think he mentioned something about  
6 statute of limitations or something. That doesn't apply.

7 Mr. Lucas, you can --

8 MR. LUCAS: There is no statute of limitations on  
9 that. The owner of the property has the right to --

10 MR. SCARVELLI: Even though there's been some things  
11 that it been changed?

12 MR. LUCAS: It's been changed actually to the  
13 detriment of the owner.

14 CHAIRMAN McINTOSH: Correct.

15 MR. SCARVELLI: Okay. I thought I would ask.

16 MR. LUCAS: Specifically, the riparians, which  
17 diminishes the number of density that would have been there in  
18 1986, and also the wetlands, which both of those are far more  
19 aggressive today than they were back in the pastoral days of  
20 1986.

21 MR. SCARVELLI: Like I said, I wanted to find out.

22 MR. LUCAS: No, that's fine.

23 MR. SCARVELLI: To make sure there is not going to  
24 be access from other areas to come in and do driving up, back  
25 and forth. We have enough traffic now.

26 MR. LUCAS: Okay, thank you.

27 MR. VITAZ: Do I have to identify myself?

28 CHAIRMAN McINTOSH: You don't need to put --

29 MR. VITAZ: Dave Vitaz, North Orchard. My question  
30 is, we keep on talking about the PUD and 1986 and how it's,

1 kind of, the governing body of this whole thing. But, again,  
2 there's been changes, and the one I am thinking of is the Fire  
3 Department. Back in '86, every road that was kind of a dead  
4 end had to have a cul-de-sac but now, I guess, now it's been  
5 changed -- and it's to the benefit of the developer, not to  
6 the benefit of the cul-de-sac -- that they can change it and  
7 do, if the street isn't so far, they don't have to put a  
8 cul-de-sac in. Is that correct?

9 MR. LUCAS: Well, the Fire Department, if I may,  
10 Mr. Chairman.

11 CHAIRMAN McINTOSH: Sure.

12 MR. LUCAS: The Fire Department generally wants a  
13 cul-de-sac, number one. But number two, with every new  
14 development -- and this has been historical seemingly forever,  
15 Dave -- that they want two points of access to any new phase  
16 of a development, and they're very, very pointed on that.  
17 They have, they voice that constantly. And in all the years  
18 I've been here, I have never seen them make an exception to  
19 that. They are adamant. They need -- And they're bringing  
20 their wherewithal as a Fire Department because, Here is why we  
21 need that. So again, historically, the township has given  
22 considerable deference to what a safety force believes is  
23 necessary in that regard.

24 MR. VITAZ: I think, in this development, there  
25 might be one cul-de-sac and a lot of them are short roads or  
26 streets that are allowing them to, I guess, back, the Fire  
27 Department can back down the street or whatever.

28 MR. LUCAS: Right.

29 MR. VITAZ: But my point is that that can be  
30 changed. Again, this 1986 PUD can be changed for that benefit

1 but it can't -- or for that reason but you are saying you  
2 can't change anything else? I guess we all want to know that,  
3 why can't it be changed then but not changed now. And, again,  
4 I want to know --

5 MR. LUCAS: Well, there is two separate parts to  
6 that. The first part is the actual zoning which was changed  
7 in 1986 to a planned unit development.

8 MR. VITAZ: Right.

9 MR. LUCAS: Now, over the course from 1986 through  
10 to the present, first of all, there was a change in the Ohio  
11 statute governing planned unit developments under 519.021.  
12 That was changed in major formatting in 1997.

13 In addition to which the township has the authority  
14 to update regulations, planned unit development regulations,  
15 and they have. If you went through Article 16, the first, you  
16 know, 12 provisions within that article and you see the dates  
17 they were enacted, there's been a continuing course of  
18 updating up through and including, I believe, 2018. All  
19 right?

20 But the point that's being made by the Board and I  
21 think also by you, Dave, is that those subdivision -- excuse  
22 me -- those planned unit development regulations can, you  
23 know, be transient and be added under the code but not the  
24 actual planned unit development itself and what that entails  
25 and what it brings to the table and that and what was  
26 presented at the time it was passed by rezoning in 1986. So  
27 anything that -- The township's locked into that. They can't  
28 change, you know, anticipated density under the original plan  
29 that was approved by making it larger. All right? They have  
30 to -- They can agree because the proposal by the applicant

1 would reduce it, all right, which is being done here.

2 And some of that is controlled by what was already  
3 passed vis-a-vis the riparian setbacks and the wetlands, which  
4 didn't have anything to do with -- Well, the riparian setback  
5 did. The township regulated that and thereby reduced what was  
6 able to be developed. The Army Corps of Engineers wetlands,  
7 the wetlands and, obviously, environmentally have become --  
8 and good for them -- has become more prevalent and aggressive  
9 in terms of what they require and that through development now  
10 as opposed to 1986. So that's reduced it as well.

11 So there are, it's not like it's a static, you know,  
12 document itself because there is other components to it as  
13 well. And the township's made, you know, additional  
14 regulations and that. But you can never, under the rezoning  
15 that occurred in 1986, move off basic rights that are inherent  
16 in a planned unit development.

17 MR. VITAZ: The current statute or PUD that the  
18 township has now is far different than what it was in 1986, I  
19 would assume.

20 MR. LUCAS: I would agree with that, yep.

21 MR. VITAZ: Okay. The one key to it is the density.  
22 Is that so much per acre now compared to then?

23 MR. LUCAS: I would say that the acreage that was  
24 originally identified for each of the phases, which it was in  
25 the plan that they submitted in conjunction with the rezoning  
26 in 1986, the numbers for each of those phases -- I don't know  
27 this with certainty because I haven't looked at it -- but I  
28 would venture to say it would be reasonable to think those  
29 numbers have been compressed a little bit because of riparian  
30 setback requirements now and also wetlands that, you know,

1 have become far more detailed in terms of delineations and  
2 remediation if you're disturbing wetlands.

3 And as an editorial aside, what the Army Corps of  
4 Engineers and the federal and state EPA views as a wetland is  
5 far more liberally construed than what it was back in 1986.

6 MR. VITAZ: And, again, I know you might have to  
7 research this but the idea that the current developer  
8 inherited the rights for the setback requirements that aren't  
9 required because Quail Hollow has, they own Quail Hollow and  
10 this developer owns the land, again, they don't have to put up  
11 with the setback requirements?

12 MR. LUCAS: Whatever is required under the planned  
13 unit development regulations as they are right now is what  
14 they're required to comply with.

15 MR. VITAZ: And again, my point is, you have Quail  
16 Hollow, the golf course, and you have the developer. Okay?  
17 Where that meets, is there a requirement for the setback?

18 MR. LUCAS: Well, when you asked that, I looked real  
19 quick and I didn't see it. All right? Now, I looked real  
20 quick and, Dave, you know, I will look at it more studiously  
21 after the meeting is over. But in looking at the regulations,  
22 there is no 20 foot requirement. I didn't see it.

23 MR. VITAZ: And that's even though they have two  
24 different owners?

25 MR. LUCAS: I don't know. I don't know what  
26 happened with the one you are referencing in comparison to  
27 Quail in reference to what is being presented today. So I  
28 would have to look at that, too, to give you a complete  
29 answer.

30 MR. VITAZ: Okay.

1 MR. LUCAS: And I am not disputing you, by the way.  
2 I am sure you are saying that accurately.

3 MR. VITAZ: I understand. Thank you.

4 MR. DONDORFER: Thank you.

5 MS. VITAZ: I am Beverly Vitaz, 8075 North Orchard,  
6 and I just wanted a clarification from Mr. Novak. It was my  
7 understanding, you know, that, you know, because we have about  
8 400 feet of driveway with the water problem, and you mentioned  
9 that you were collecting all the water before in the cul-de-  
10 sac. Okay? It is also my understanding that you are  
11 collecting all the water from your development also along  
12 the -- into, so that it's not coming onto our property, you  
13 know. And I believe that's what I was told. I just, you  
14 didn't -- You made it unclear to me when you were, how you  
15 said it. Okay? It's not my misunderstanding that your  
16 development is not going to impact any of the water on the  
17 adjacent land, that you collect all the water on your land?

18 MR. DONDORFER: Do you want him to respond?

19 CHAIRMAN McINTOSH: If you want to let Mr. Novak --

20 MS. VITAZ: Okay. Later on? It was just something  
21 I want clarified.

22 CHAIRMAN McINTOSH: Is there anything else that you  
23 had?

24 MS. VITAZ: Oh, no, no, no. If I wasn't -- I just  
25 got confused with your statement, you know, because it was too  
26 specific.

27 CHAIRMAN McINTOSH: Okay. We will let Mr. Novak --  
28 Actually, before he gets up again, is there anybody else that  
29 has a question so we're kind of not doing this back and forth  
30 thing? I like to keep this --

1 MS. MANDZAK: Yeah, I will go. I just, again, I'd  
2 be really interested in knowing the square footage, the price  
3 per square foot. And then for Phase 3, what is the plan? Is  
4 that rental space or are those going to be owner, you know,  
5 owned? How will that be written into the HOA? So that's --

6 THE REPORTER: Your name, again, please.

7 MS. MANDZAK: Brandy Mandzak, 11471 Viceroy.

8 MR. REZZOLLA: Mike Rezzolla, 11470 Viceroy. My  
9 question is not philosophical nor legal. I don't want to  
10 lessen the concerns of those on Orchard Park and Girdled Road  
11 because your issues are tremendous as well. Mine has to do  
12 with the Viceroy phase though. And I was just wondering, that  
13 street with the cul-de-sac, why couldn't it have been pushed  
14 just a little west where the natural buffer of trees could  
15 have been maintained to a certain degree?

16 You know, once, I thought, well, why aren't they on  
17 the other side of the street where the backs of the homes,  
18 like any other normal golf course community, you want the rear  
19 of the home facing the golf course instead of the front of the  
20 home, but I don't know if that's possible. You may lose a  
21 couple lots but could that street have been moved a little  
22 further to the west? I know you're facing the ninth green and  
23 the tenth tee box. I am aware of that. But that may, that  
24 may save some of those trees and then may create a natural  
25 buffer itself, if that's possible.

26 CHAIRMAN McINTOSH: Like I said, I want to keep this  
27 moving, so I am going to have Mr. Novak come up and answer  
28 these questions.

29 MR. NOVAK: I will do my best. Somebody asked the  
30 question about home values. We anticipated the detached

1 product to be in the same price range as or better than the  
2 homes that have been constructed in Hygrove. Those houses  
3 there range, I think, the lowest end was 330, the high end was  
4 650, I believe. So there is definitely some value. Probably,  
5 if the lumber prices don't come down, it might be more.

6 AUDIENCE MEMBER: The attached units?

7 MR. NOVAK: The attached units really won't be in  
8 that price range. I don't have any real values on the  
9 attached product.

10 Somebody had mentioned something about the cul-de-  
11 sacs and so forth for the Fire Department. I can tell you  
12 that one of our plans -- I've had probably 15 different  
13 iterations of this plan and we met with the Fire Department.  
14 And in lieu of cul-de-sacs, depending, again, it's dependent  
15 upon the length of street and so forth, what they require at  
16 the end. A hammerhead, which is like this one right here, is  
17 adequate as far as the Fire Department is concerned. And it's  
18 my belief that the Fire Department has reviewed this latest  
19 plan and is okay with cul-de-sac versus hammerheads that we've  
20 provided.

21 The water that's coming down, currently, down  
22 Orchard, probably just before the cul-de-sac bubble is where  
23 we're going to capture that water and we're going to redirect  
24 it to the detention basin that's, that's --

25 MS. VITAZ: What about the property that's before  
26 it? What about --

27 MR. NOVAK: Again, as part of the Lake County  
28 regulations, we have to contain our water that's on our  
29 property on our property, okay, to the best of our ability.  
30 Can we get every drop? Probably not. But we -- And so,

1 again, there will be, I would imagine, along your western  
2 property line, we will have a swale or something and some yard  
3 drains and so forth back there to collect that water.

4 MS. VITAZ: On your side.

5 MR. NOVAK: On our side. But, again, a lot of the  
6 water south of the cul-de-sac that's coming down those ditches  
7 will be picked up with drains, redirected. So, again, are we  
8 going to get all that water? Probably not, but it's going to  
9 be much less than is there today.

10 MS. VITAZ: Thank you.

11 MR. NOVAK: There was a question about rental of the  
12 townhouses. That's not what we are anticipating today.

13 And the last comment that, if I understood it right,  
14 the gentleman wanted us to move this street this way along the  
15 back of Viceroy. The problem is, when we move that street,  
16 again, we have, if you can see on this map, there is a stream  
17 that comes through here that has a riparian setback on it.  
18 When it crosses underneath the proposed street, that's a  
19 stream that we're impacting and the Army Corps only allows so  
20 many lineal feet of stream impact. So when it gets on the  
21 other side of this, again, this darker green that has this  
22 blue line through the middle of it is, that's the stream  
23 that's not being impacted and has the riparian setback, the  
24 requirement from Concord of this riparian setback. So if we  
25 push this this way, we're going to lose probably four lots.

26 We had one plan where we talked about actually  
27 taking the road up here along the back side of the people on  
28 Viceroy. It was our opinion that that would not be a good  
29 decision because these people back here would just see cars  
30 going back and forth right along their rear property line.

1           So I believe those are all the questions they asked.

2           CHAIRMAN McINTOSH: Yeah. Thank you.

3           Mr. Lucas, a procedural question here. So I  
4 understand that, for the most part, we have this PUD and,  
5 again, this was not a public hearing. This was really -- And,  
6 again, I want to express my appreciation to everyone that  
7 showed up and asked questions and the dialogue and also  
8 express my appreciation to the developer for having the  
9 patience to answer the questions and to be present this  
10 evening.

11           So the one thing that I did hear come up in the  
12 conversation was with respect to that traffic. So from the  
13 standpoint of, I know when we're doing rezones, we always can  
14 offer conditional approval contingent on these extra things.  
15 From the standpoint of the PUD, with that not being met or, at  
16 least, per your interpretation, where are we at in procedure?

17           MR. LUCAS: Well, I mean, that complete traffic  
18 impact evaluation that I discussed with Mr. Novak is a  
19 requirement of the preliminary development plan. So --

20           CHAIRMAN McINTOSH: So we would need that in order  
21 to approve it?

22           MR. LUCAS: Unless you want to waive that, your own  
23 resolution's requirement regarding that which, of course, I  
24 would not approve of. You don't want to do that. You don't  
25 want to do that.

26           CHAIRMAN McINTOSH: Okay. Thank you.

27           Okay. Any comments or questions from the Board?

28           MR. DONDORFER: You know, I would also like to echo  
29 Trustee McIntosh's statement, you know. These are challenging  
30 decisions, you know, and it impacts people and our residents

1 and our neighborhoods. I grew up in the area, served the area  
2 for 28 years. And, you know, the developer obviously has a  
3 right to develop his property. We try to always do our best  
4 to encourage productive dialogue between not only the  
5 developer but the impacted communities, and we try to  
6 facilitate that to the best of our ability to try to make  
7 accommodations and things of that nature that can be made in  
8 agreement to still fulfill the developer's intentions on  
9 developing the property and still also try to be less  
10 impactful to the residents because, again, we always do our  
11 best to balance, you know, and make decisions in what's in the  
12 best interest of the township.

13 So, you know, it's not always easy but we have to  
14 function as trustees by the letter of the law and we only have  
15 so much latitude, also. So I do appreciate everybody being  
16 here today and being involved in the process because it's not  
17 easy. And I've known a lot of you in this room for many  
18 years. So we really appreciate you being involved and raised  
19 a lot of good issues. Thank you.

20 MS. LUCCI: Obviously, I have the same, as  
21 Mr. Dondorfer said. You know, it's my neighborhood too, so I  
22 understand where a lot of you are coming from. I also  
23 understand the developer's part in this, too. And I think,  
24 you know, finding that right balance, I think, the developer  
25 has shown that he is trying to work in some of the areas that  
26 people are asking for in terms of buffers, drainage issues,  
27 what the impact will be on schools and on traffic. I think,  
28 you know, we get that information from them.

29 But at the same time, we have to remember that, you  
30 know, we wanted to come here and people let us in and people

1 want to come here and, you know, people may want to move here,  
2 too. And we have to remember that we sometimes have to allow  
3 that as well in a way that's respectful of the community, what  
4 Concord, you know, what it's supposed to look like according  
5 to what the residents, you know, desire.

6 So it's a balance, you know. When I moved into  
7 Nature Preserve, I had all woods behind me and then, lo and  
8 behold, my neighbor took down all the trees and put a pool and  
9 a playground for his child, for his kids, you know. So I knew  
10 it was coming but that's sort of what I had to deal with. I  
11 still love the development and I think there is, you know, a  
12 lot of beauty to it. I don't want to see, you know, sidewalks  
13 or any of that sort of thing. We are not a city. We are not  
14 Cleveland at all. But there is a balance there. That's all I  
15 wanted to say.

16 CHAIRMAN McINTOSH: Thank you. I will echo the  
17 comments. I mean, I have been on the zoning board since 2009  
18 and dealt with lot of this. I have had several of these  
19 conversation before. For those who aren't familiar, the  
20 township does have a Comprehensive Plan and there is a lot of  
21 thought process that went into how that's gone, been developed  
22 and where the township is going.

23 So we had Mr. McDonald, from the Board of Elections  
24 commenting and Concord Township is one of the fastest growing  
25 communities in Lake County, has been for well over a decade.  
26 I first moved out here in 1985 when I was a child and,  
27 ironically, that's about when all of this was going on, and  
28 Concord was a very different place even back then. I returned  
29 around 2000.

30 I do know that, when Quail Hollow was approved, it

1 was contentious. It was -- People didn't want development and  
2 it got approved, and we continued to have the same  
3 conversation as more and more developments come. I have had  
4 this conversation with conservation zoning discussions. I  
5 know there was a lot of opposition to Summerwood, where I  
6 live. I thought I knew a little bit about things going on and  
7 I picked a lot in Summerwood or a home that was built and I  
8 had trees in my back yard. Came home one day because I forgot  
9 something from work and was preparing to go out of town for a  
10 business trip and my whole -- a lot of my trees were gone in  
11 my yard. Two lots got cleared. I thought my yard abutted a  
12 ribbon that was conservation zoned. So I appreciate. I've  
13 had the experience of seeing something I thought I was going  
14 to have taken away, and so I understand what that feels like.

15           Having talked with the developer several, over  
16 several months over this thing, knowing that it was coming up  
17 a while back, I think the product that they're proposing is  
18 probably the best option for Concord Township, being as that  
19 the decision to do this kind of development was made 30 years  
20 ago. It's always tough but we have to balance that Concord is  
21 growing and will continue to grow.

22           And understanding zoning, the residential districts  
23 that have been in place or that we see developed. We have a  
24 conservation district we have approved over a year ago over  
25 off Colburn Road. That was a residential zoning, R-1. So a  
26 little bit of the change but it was always going to be homes  
27 and that dated back to the '60s.

28           So a lot of Concord Township zoning was adopted in  
29 the '60s and our residential districts really were set a long,  
30 long time ago. So where we have these big, open fields, it's

1 private landowners that are waiting and they sell the property  
2 and the township does the best that we can to balance that  
3 development and proceed carefully.

4           You know, in this case, we're of limited scope. So  
5 I hope -- I appreciate all of you coming tonight and, you  
6 know, I wish I was able to tell the developer, "Hey, good, but  
7 we've got something that we need to address." I've done a lot  
8 of diligence on this, took a look at the history. We are  
9 seeing this sort of play forward the way it was determined so  
10 many years ago, and we are not in a position to stop that.

11           What we can do is encourage the community and the  
12 developer to work together to deal with some of these issues,  
13 and I think he's been willing to do that as far as landscaping  
14 and these different things. So I encourage and request, if  
15 you have further questions, to be in contact with the  
16 Trustees, the Zoning Department or the developer directly, if  
17 he is willing to deal with that. And we will need to move  
18 along as far as that traffic study.

19           So with that, I think we will move on with our  
20 agenda this evening.

21           MS. PESEC: Morgan.

22           CHAIRMAN McINTOSH: Yes, Vanessa?

23           MS. PESEC: I had a comment on a different issue.

24           CHAIRMAN McINTOSH: Okay. Oh, I am sorry. Yeah,  
25 thank you. If you will just hold on one second, I will open,  
26 continue -- thank you for catching that -- we will resume the  
27 audience portion of the meeting that has not to do, if there  
28 is anything other than this particular topic. So if anybody  
29 has, regular, anybody present?

30           Okay. Vanessa, if you have audience participation

1 or comment, question.

2 MS. PESEC: Sure, yes. Thank you very much. I  
3 listened to the last trustee meeting where you discussed and  
4 then you approved going out for bid for both fire stations and  
5 which station would be built first. And in listening to the  
6 discussion, it seemed that there was a formal presentation and  
7 discussion by the major stakeholders -- I don't know --  
8 owner's rep and some other people at the trustee office hours,  
9 which were prior to the trustee meeting. And I am sure that  
10 there would have been citizens who would have wanted to listen  
11 to the meeting but they didn't even know about the meeting.

12 And so since those types of meetings need to be  
13 planned, I would ask that they be advertised on the website  
14 under "Trustee Office Hours" like as an agenda item so that  
15 citizens would be able to be able to attend the office hours  
16 if they felt that something like that was going to be  
17 discussed.

18 You know, something like the fire stations really  
19 impacts the community significantly, you know. You are going  
20 to be spending about 14 million dollars. So I think that  
21 adding that to the website as an agenda item would go to  
22 transparency. So that's it. Thank you.

23 CHAIRMAN McINTOSH: Okay. I would just like to add  
24 that the office hours don't have -- there is no formal agenda.  
25 It's Trustees being available. And there was nothing that  
26 occurred in office hours that didn't occur on the public  
27 record during the trustee meeting.

28 With that, Old Business, seeing none, we will move  
29 into New Business. And the first, Mr. Chair -- I am sorry --  
30 Mr. Administrator, I know that we have a resolution for you to

1 read regarding a recognition of our BZA member Blair Hamilton.

2 MR. ROSE: I do. Resolution 2021-14 recognizing  
3 Blair Hamilton:

4 "Whereas, Mr. Blair Hamilton, a longtime resident of  
5 Concord Township who served on the Board of Zoning Appeals  
6 from April 2002 through July 2021; and

7 "Whereas, during his participation and service on  
8 the zoning board, he brought forth sound guidance, enthusiasm  
9 and integrity toward any consideration before the board, while  
10 demonstrating both thoroughness and fairness in his analysis  
11 and in all of his zoning decisions.

12 "Now, therefore be it resolved by the Concord  
13 Township Board of Trustees, Lake County, Ohio, that the  
14 Trustees wish to extend their sincere appreciation for his 19  
15 years of service and for upholding the spirit and intent of  
16 Concord's zoning regulations for the betterment of this  
17 community both today and for many years to come."

18 MR. DONDORFER: I will make a motion to approve  
19 Resolution 2021-14, recognition of Blair Hamilton.

20 MS. LUCCI: I second.

21 CHAIRMAN McINTOSH: All in favor?

22 (Three aye votes, no nay votes.)

23 MS. LUCCI: Mr. Chairman, I move to approve the  
24 Board of Zoning Appeals regular member appointment of Todd  
25 Golling effective 7/21/2021 through March 31, 2024, from Board  
26 of Zoning Appeals alternate position.

27 MR. DONDORFER: I will second.

28 CHAIRMAN McINTOSH: All in favor?

29 (Three aye votes, no nay votes.)

30 MR. DONDORFER: Mr. Chairman, I will make a motion

1 to approve the reassignment of firefighter 1 Hyle Squire to  
2 the status of regular firefighter/paramedic effective  
3 8/1/2021.

4 MS. LUCCI: And I second.

5 CHAIRMAN McINTOSH: All in favor?

6 (Three aye votes, no nay votes.)

7 MS. LUCCI: I move to approve purchase order to  
8 Willoughby Fence Company in the amount of \$9,321.56 for  
9 pickleball court fencing.

10 MR. DONDORFER: I will second.

11 CHAIRMAN McINTOSH: All in favor?

12 (Three aye votes, no nay votes.)

13 MR. DONDORFER: Mr. Chairman, I will make a motion  
14 to approve the P.O. to Industrial Surface Sealer Incorporated  
15 in the amount of \$9,926 for pickleball surface and netting.

16 MS. LUCCI: I second.

17 CHAIRMAN McINTOSH: All in favor?

18 (Three aye votes, no nay votes.)

19 MS. LUCCI: Mr. Chairman, I move to vote on the  
20 approval of the preliminary plan for Quail Hollow planned unit  
21 development, Ivy Ridge, Parcel 30, by Quail Developers,  
22 Incorporated.

23 MR. DONDORFER: Mr. Chairman, I will second.

24 CHAIRMAN McINTOSH: All in favor?

25 (Three aye votes, no nay votes.)

26 CHAIRMAN McINTOSH: And a couple of letters of  
27 recognition, Mr. Rose.

28 MR. ROSE: Yes, sir. "Eagle Scout Ryan J. Grabnar,  
29 It is with great pleasure that the Trustees of Concord  
30 Township extend their congratulations to Ryan J. Grabnar for

1 attainment of the very prestigious honor of Eagle Scout.

2 "Anyone who has known a Scout understands the hard  
3 work and dedication that accompanies the achievement of Eagle  
4 Scout. However, it is certainly worth noting that only about  
5 6 percent of your peers will achieve the same rank and that  
6 you will stand among those Eagle Scouts that have become great  
7 leaders in this country.

8 "It is impressive that you have chosen Scouting from  
9 your youngest years as one of your primary guides towards  
10 character development. You have exemplified the ideals and  
11 goals of Scouting in innumerable ways over the past 12 years  
12 building lifelong skills including First Aid and Emergency  
13 Preparedness to Communications and Personal Management to name  
14 a few.

15 "Your leadership and service demonstrated with your  
16 Eagle Scout project consisted of developing a detailed project  
17 plan, obtaining donations and organizing volunteers to  
18 refurbish a dilapidated pond area at Hershey Montessori School  
19 to create an outdoor learning center. This project required  
20 clearing of overgrowth, repair of split rail fencing,  
21 refurbishment of the existing dock, upgrading safety equipment  
22 and the installation of locust tree seats and a table and came  
23 at a time when such space was especially valuable. Already,  
24 dozens of students have enjoyed the benefit of the natural  
25 classroom and this project will continue to serve the children  
26 of Hershey Montessori School for years to come.

27 "We wish you the best as you enter your senior year  
28 at Lake Catholic High School, continuing your growth and  
29 leadership as a Section Leader for the Lake Catholic High  
30 School marching band, your involvement in concert and jazz

1 band performance and your 4th year as a lock on the Lake  
2 Catholic Rugby Team. We look forward to watching you grow as  
3 a future community leader. Congratulations on becoming an  
4 Eagle Scout. Sincerely, The Concord Township Board of  
5 Trustees."

6 And to move to the second recognition letter, Eagle  
7 Scout -- excuse me -- Gregory M. Predina, "It is with great  
8 pleasure that the Trustees of Concord Township extend their  
9 congratulations to Gregory M. Predina for attainment of the  
10 very prestigious honor of Eagle Scout.

11 "Anyone who has known a Scout understands the hard  
12 work and dedication that accompanies the achievement of Eagle  
13 Scout. However, it is certainly worth noting that only about  
14 6 percent of your peers will achieve the same rank and that  
15 you will stand among those Eagle Scouts that have become great  
16 leaders in your country.

17 "Your leadership and service demonstrated with your  
18 Eagle Scout project consisted of developing a detailed project  
19 plan, raising funds, organizing volunteers and installing  
20 wooden backstops for three of the baseball fields at  
21 Eleanor B. Garfield Park. These wooden backstops will serve  
22 to stabilize the chain link fence and will also serve as  
23 protection for all who use the ball fields for years to come.

24 "We wish you the best as you pursue your business  
25 degree at Siena Heights University and we look forward to  
26 watching you grow as a future community leader.  
27 Congratulations on becoming an Eagle Scout. Sincerely, The  
28 Concord Township Board of Trustees."

29 (Whereupon, discussion was held off the record.)

30 CHAIRMAN McINTOSH: Okay. Mr. Rose, future meetings

1 and announcements.

2 MR. ROSE: Future meetings and announcements:

3 Friday, July 30th, at 9:00 a.m., will be a staff  
4 meeting at Town Hall. It would be in the conference room.

5 August 3rd, at 7:00 p.m., the Zoning Commission will  
6 meet here at Town Hall.

7 And on August 4th, from 6:30 to 7:30 p.m., will be  
8 trustee office hours in the conference room; at 7:30 p.m. will  
9 be the trustee meeting at Town Hall.

10 That concludes future meetings and announcements,  
11 sir.

12 MR. LUCAS: Mr. Chairman.

13 CHAIRMAN McINTOSH: Yes.

14 MR. LUCAS: Just for the audience members and that,  
15 this is the preliminary plan that was approved. There is a  
16 final development plan that has to be approved. There is a  
17 public hearing on that. There will be notice in the paper.  
18 And that is a public hearing where the residents come in and  
19 voice whatever they wish to voice regarding the final  
20 development plan.

21 Now, in the final development plan criteria, the  
22 Board also approves, again, the preliminary development plan.  
23 And the reason I mention that is because, at that point, there  
24 will be a traffic study in accordance with that requirement  
25 that I mentioned earlier. Otherwise, it is not going to be  
26 approved. So just so the residents know, the actual final pen  
27 to paper is going to be subject to an entirely new hearing  
28 before the Board and the public. So, okay?

29 MS. LUCCI: Thank you, Mr. Lucas.

30 CHAIRMAN McINTOSH: Thank you. And with that, we're

1 adjourned.

2 (Whereupon, the meeting was adjourned at 9:47 p.m.)

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