

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
11668 Girdled Road
Concord, Ohio 44077
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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-trusteess, 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. Pesecc has any questions or comments.

5 MS. PESECC: 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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STATE OF OHIO)
COUNTY OF CUYAHOGA)

CERTIFICATE

I, Melinda A. Melton, Registered Professional Reporter, a notary public within and for the State of Ohio, duly commissioned and qualified, do hereby certify that, to the best of my ability, the foregoing proceeding extension reduced by me to stenotype shorthand, subsequently transcribed into typewritten manuscript; and that the foregoing is a true and accurate transcript of said proceedings so taken as aforesaid.

I do further certify that this proceeding took place at the time and place as specified in the foregoing caption and extension completed without adjournment.

I do further certify that I am not a friend, relative, or counsel for any party or otherwise interested in the outcome of these proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office this 1st day of September 2021.

Melinda A. Melton
Melinda A. Melton
Registered Professional Reporter

Notary Public within and for the State of Ohio

My Commission Expires:
February 4, 2023

