

CONCORD TOWNSHIP ZONING COMMISSION
LAKE COUNTY, OHIO
REGULAR MEETING

Meeting held via Webex Teleconference
and YouTube Live Streaming

Concord Town Hall
7229 Ravenna Road
Concord, Ohio 44077

May 4, 2021
7:00 p.m.

TRANSCRIPT OF PROCEEDINGS

Zoning Commission members present:

Andy Lingenfelter, Chairman
Richard Peterson, Member
Frank Schindler, Member
Hiram Reppert, Member
Ashley Garcar, Alternate Member

Also Present:

Heather Freeman, Planning & Zoning Director/Zoning
Inspector
Marty Pitkin, Assistant Zoning Inspector
Abigail Bell, Esq., Legal Counsel

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1 7:05 p.m.

2 CHAIRMAN LINGENFELTER: Good evening. I'd like to
3 call this Concord Township Zoning Commission meeting, Tuesday,
4 May 4th, to order. We have a full agenda this evening.

5 First of all, I'd like to recognize Ashley Garcar is
6 here this evening filling in for Rich Iafelice. So I just
7 want to welcome you to the table this evening. Thanks for
8 coming. You never know when you're going to get called to
9 come up and join.

10 MS. GARCAR: You never know.

11 CHAIRMAN LINGENFELTER: So here you are, which is
12 fantastic, really glad you're here. So we have a full board
13 this evening.

14 First of all, under Old Business, we have a public
15 hearing for Zoning Amendment Application 0320-1, submitted by
16 Rylan, Inc., and that is still being tabled.

17 So we are going to move on from the Old Business,
18 Item Number 1, to New Business, which is a work session for
19 possible zoning text amendments related to the Reservation
20 Conservation -- Residential Conservation Development District,
21 microdistilleries, and outside dining.

22 Heather, do you want to get us started, kind of fill
23 us in on where we're at?

24 MS. FREEMAN: Sure, thank you.

25 So after our last meeting in April, we made some
26 other, a couple small changes to the draft version of the text
27 and we decided that we were going to send it out to a few of
28 the developers and builders that do some projects within our
29 community. So I did email that out to probably half a dozen.
30 We did get some correspondence back from two builders. One,

1 we received an email from George Davis on April 23rd that I
2 forwarded to you and included in your packet and then another
3 one that we received from Rick Colwell, with Little Mountain
4 Homes, on April 30th.

5 So they basically went through our draft redline
6 changes and provided their thoughts to the board as far as,
7 you know, the direction that this text, if adopted as is,
8 might impact their views on how the district would work. So I
9 don't know if you want to, if we want to go through these. If
10 you had time to do that prior to this evening, we can talk
11 about them one by one or any other thoughts how you want to
12 approach that.

13 CHAIRMAN LINGENFELTER: Do you want to address their
14 comments or their observations or how do you want to handle --

15 MS. FREEMAN: Well, I guess, the overall theme from
16 both of the developers, it sounded like that, if we adopted
17 all the changes as is, that they felt like it might be a
18 disincentive to use the district, and then they kind of
19 pointed out the reasons why.

20 So to start, I guess, like Mr. Davis had stated
21 that, if we get rid of the density bonus and increase the
22 minimum open space requirement, he thought that we might have
23 some unintended consequences where folks might not, decide not
24 to do the RCD. He wasn't very specific as to why but he said
25 that that might do that.

26 He also discussed that requiring so much open space
27 to abut the right-of-way really wouldn't help some of the
28 trees, indicating he thought that they would probably not
29 survive.

30 There was some questions about what this

1 Environmental Restoration Plan might entail. Both of the of
2 the builders wanted a little bit more clarification on what
3 that was. I know we didn't have a lot of discussion about
4 that in our meeting. I am kind of guessing that there was
5 some pretty good discussion during the Comp Plan Update but
6 the way I looked at it -- and I am not sure how this board's
7 view of it is -- if we have an old farm that's going to be
8 turning into an RCD and they're going to propose to put that
9 old farm field in the open space, we would like to know what's
10 going to happen with those old farm fields. We want to see
11 them restored to something, whether it be forest or meadow or
12 some other natural feature that would have been there had it
13 not been farmed.

14 There was some of the items that we were talking
15 about as far as the street design, like the islands,
16 roundabouts, the splits.

17 CHAIRMAN LINGENFELTER: Oh, I love the comments on
18 the roundabouts.

19 MR. REPERT: I know. I thought about you when
20 I read it.

21 CHAIRMAN LINGENFELTER: I finally have found my
22 soul mates.

23 MS. FREEMAN: They didn't go over very well. They
24 were very concerned about those items. I did talk to the
25 Service Department director, and I think Hiram did as well, to
26 kind of get his thoughts on some of that, too. So I can share
27 those with you if you want to hear that.

28 What else? There was a question from Mr. Colwell
29 about, in Section 16.27(B), we talked about siting the homes
30 -- hold on one second, let me flip to that -- where the

1 dwelling should be oriented to appreciate the topography and
2 the natural features. He thought that maybe somehow we were
3 going to try to be involved with finished floor elevations of
4 the home as far as grading of where the house was going to
5 sit, but I don't believe that that was our intent. Our intent
6 was, I believe, to design a lot where the home would face it
7 naturally, you know, based on the contours of the land.

8 And then so, I mean, we can talk about any of these
9 things or see what you guys want to do with the input that we
10 did receive. It seemed like the street design standards, no
11 one liked or neither one of these folks liked. Like I said, I
12 did talk to our Service Department director, Tim Brown. I
13 asked him a couple things. I sent him the text, too, looking
14 for some feedback even before we got the developer responses.
15 He indicated to me that, for the Service Department, regular
16 maintenance and snow removal is a lot easier when there is no
17 landscape island in the cul-de-sac, same thing with
18 roundabouts. When they have to push snow around the cul-de-
19 sac and there is an island, it does limit how much snow they
20 can push into the center of the island and that snow then
21 usually gets pushed up near the right-of-way near someone
22 else's, you know, mailbox or somewhere on the cul-de-sac,
23 which I know they get a lot of complaints about that in the
24 winter.

25 He said, you know, as long as the homeowners
26 association would be responsible for the island, he didn't
27 really have a problem with the island but the maintenance is a
28 little bit more for him with snowplowing.

29 Same thing with like the roundabouts. He actually
30 told me he strongly disagrees about the roundabouts. The

1 Service Department doesn't want to maintain a roundabout if
2 they don't have to. He feels like they have to use more salt.
3 And then in addition to the challenges it presents the Service
4 Department, he indicated that the maintenance for the
5 homeowners association, the residents, you know, adds up. And
6 some of those HOAs are active, they keep them up, they look
7 really nice, and others not so much.

8 So I know we put these in, well, the way we framed
9 it in 16.62, we said that all the cul-de-sacs shall have the
10 decorative plantings, and then the other two with the -- were
11 shoulds and more discretionary. But I think that
12 discretionary stuff, too, was concerning both of these
13 builders. You know, if the board changes, what is this board
14 going to want versus another board, you know, a different
15 membership of the board.

16 CHAIRMAN LINGENFELTER: I think that the developers
17 that responded, first of all, it was nice that they took the
18 time to respond.

19 MR. REPERT: Yes, it is.

20 CHAIRMAN LINGENFELTER: I appreciate their input.
21 It's always good to get a view of developers, you know, the
22 way that they see these things that we're considering from a
23 change standpoint. I think it's always a very positive thing.
24 It's better to hear it now and discuss it before it comes
25 because these are the kinds of things that come out in a
26 public hearing and a lot of times, in a public hearing, we
27 don't have a whole lot of time to review and kind of regroup
28 on some of this stuff. So it's nice to have some feedback on
29 some of these issues now while we're still in the work session
30 process, which I find to be very helpful.

1 I think they make some, I think they make some good,
2 some good recommendations or some good observations. I don't
3 agree with everything but I think that some of it is, I think,
4 is pretty good. And I think, at the end of the day, I think
5 putting together as we craft or recraft the conservation
6 development terminology and sections, I think this gives us a
7 good opportunity to kind of see what the reality would be of
8 any decisions we make on this and I think there is some pretty
9 good input on this.

10 MR. PETERSON: I think one of the best things we've
11 done in the last ten years or so is adapt the RCDs. I think
12 they're the best way to go forward in Concord. We hear the
13 complaints from residents that, you know, the forests are
14 disappearing and the township is growing too much. Well, it's
15 inevitable because it's private property. But the RCDs, at
16 least, keep some semblance of what it used to be, keeps the
17 openness, the trees. So I think it's a great thing that we've
18 done in adapting these and the last thing I would want to do
19 is discourage the developers from wanting to do it.

20 So listening to their input and considering that in
21 there, I think, is important because I think we want to go
22 forward and get more of these as the remainder of Concord
23 develops and we don't want them to bypass this option because
24 it's to our detriment.

25 MS. FREEMAN: So, you know, both of them, as far as
26 eliminating, you know, the process, if we start kind of at
27 16.24, we were proposing to get rid of the yield plan and
28 basically increase the minimum open space. So under the
29 current code, you know, we have, they technically could
30 present a project with as little as 10 percent open space.

1 But I know that we did a review of all the projects that were
2 approved by the township and all of them, I think, except for
3 one, had at least 40 percent open space.

4 MR. REPPERT: Right, yeah.

5 MR. PETERSON: They did, yeah.

6 MS. FREEMAN: So we never really saw anyone go for
7 the minimum and I think that was, obviously, because we had
8 that density bonus in there, so they were always trying to
9 maximize the density bonus. But then that goes back to the
10 subjectivity of the yield plan and that and how -- in being
11 able to prove what's reasonable and marketable in that yield
12 plan. We thought, by removing that, we would eliminate some
13 of that haggle, I think, as far as you move through the
14 process. But it sounds like what I am hearing from both of
15 these folks is that they would prefer to keep it that way.

16 MR. REPPERT: I think if we do, I think they're
17 going to get a lot of pushback from us with respect to the
18 yield plan being presented by the developer because he's going
19 to put as many, what, half acre lots that he can in that area,
20 or one acre lots, and some of them are not going to be able to
21 be built the way that he says he's going to put a house there.

22 So we're going to, in my opinion, and from what
23 we've seen in the last few, they're going get a lot of
24 pushback to say, "No, you don't have 46 lots, you've got 40."
25 And then we're going to sit down and argue about that. So I
26 like the way we're going but I don't know.

27 I don't know what they're saying. I mean, it's more
28 work for them, right? They've got to develop a yield plan,
29 then they have to develop an RCD plan. So that's two plans.
30 Now, it's not that difficult because you can overlay one with

1 the other one and just print it out but it's still work on
2 their part and I think we're going to argue a lot over the
3 yield plan.

4 MR. PETERSON: I just don't think we want to
5 discourage them though from going that route to the RCD as
6 opposed to standard development.

7 MR. REPERT: No, no. But are you saying we're
8 going to require the yield plan?

9 MR. PETERSON: I don't know yet but whatever we do,
10 I just don't think we want to make it so onerous that they
11 don't want to go in that direction. They'll just take a
12 standard R-1 development instead of an RCD. From their
13 perspective, you can't make it too difficult or they're not
14 going to bother. And some of the lots that you talk about may
15 not be ideal but if people will buy that as a lot to build on,
16 I mean, that's their choice, right? If nobody buys the lot,
17 it stays empty.

18 MR. REPERT: Yeah, it does. I thought our whole
19 process here was to try and make it less work on the
20 contractor's part and eliminate the yield plan so that we can
21 see a preliminary plan and then go from there with a full
22 development with the RCD with the percent open area without a
23 bonus.

24 Now, with respect to -- who is this, this second
25 one -- Mr. Colwell, whenever he talks about roundabouts, and I
26 think they're right. I am changing my opinion. I still like
27 them but I am changing my opinion with respect to a
28 development. So, Andy, you won me over. But what he says, "I
29 do not know of a current development in Concord Township" --
30 gee, don't we have one right over here on Auburn Road, okay --

1 "that would benefit from this concept. As progressive as
2 Columbus is, I have never seen a roundabout inside a
3 development when I visit my daughter in Dublin."

4 Well, when I visit my son and his family in Dublin,
5 I go through three or four roundabouts. So I don't know where
6 he's -- He must be on the other side of Dublin.

7 MR. PETERSON: Are they in the development or are
8 they on the main thoroughfare? Like Auburn Road is a main
9 thoroughfare, it's not a development.

10 MR. REPERT: Well, no, they're not in. It's on the
11 main road and, again, it's 40, 45, whatever it may be.

12 MR. PETERSON: Yeah, yeah.

13 MR. REPERT: And you see the roundabout. But
14 inside, inside the development, no.

15 MR. PETERSON: Yeah. See, that's what I think he is
16 talking about.

17 MR. REPERT: And I think that's what the intent
18 here is with these two guys saying, slow the traffic down with
19 a roundabout when you're going 45 or 50 and not inside a
20 development. Everybody likes the four-way stops. Okay. So
21 maybe we ought to say you may use because, again, the one guy
22 says he's going to lose two --

23 MR. PETERSON: Yeah, two lots.

24 MR. REPERT: -- two lots. And we have to
25 acknowledge that.

26 MR. PETERSON: Yeah.

27 MR. REPERT: So I would say we drop the "shall."
28 Do we have a "shall" in there?

29 MS. FREEMAN: Well, it's "should." It was
30 discretionary.

1 MR. REPPERT: Yeah, it was "should."

2 MS. FREEMAN: I think you might get the same
3 reaction if you change the "should" to a "may." I think by
4 having it in there, you are somewhat implying that you desire
5 to see those.

6 MR. REPPERT: Yeah, it would be a may.

7 MS. FREEMAN: I think it's almost the same. If it's
8 not something that you guys want them to consider, then I
9 probably wouldn't even put it in because I think the County
10 Engineer, you know, as far as their road standards and
11 specifications, would allow for that to have design
12 specifications should a developer want to utilize that.

13 CHAIRMAN LINGENFELTER: Yeah. I don't, I
14 particularly, and you know where I -- I voiced this opinion
15 when we discussed this before but I was voted down, which is
16 okay. But, you know, to me, it almost, it almost seems to me
17 like the recommendation is, you know, anywhere there is a
18 four-way street, intersection, you should use a roundabout in
19 the development. And I personally don't think roundabouts in
20 a development make any sense whatsoever. I get it on main
21 roads but not inside a development.

22 MR. PETERSON: I agree.

23 MR. REPPERT: And I agree now, too. So --

24 MR. PETERSON: Take that out of there.

25 CHAIRMAN LINGENFELTER: So then the question is, do
26 we strike that then? Do we want to strike 16.26(C) from the
27 street and driveway, walkway -- Street, Drive and Walkway
28 Requirements?

29 MR. REPPERT: I'd say yes.

30 CHAIRMAN LINGENFELTER: I just don't think there is

1 any place for that inside a development when you're typically
2 looking at 25 miles an hour speed limits.

3 MR. PETERSON: Yeah.

4 MR. REPPERT: Yep, I agree.

5 CHAIRMAN LINGENFELTER: Or whatever, 20 mile an hour
6 speed limits within a development. People certainly don't
7 adhere to that but, you know, I mean, a roundabout inside a
8 development, I think, is a pretty onerous task.

9 MR. PETERSON: Take out C.

10 CHAIRMAN LINGENFELTER: So do we want to, do we want
11 to talk about that any further or do you want to just, do we
12 agree to strike that? Do you want to take a vote on it? I
13 will certainly entertain a motion if anybody is so inclined.

14 MR. REPPERT: Mr. Chairman, I would like to make a
15 motion that we strike the present proposed 16.26 Charley with
16 respect to roundabouts, delete it in its entirety and make the
17 right-of-ways, Item D right now, move it up to Item C.

18 CHAIRMAN LINGENFELTER: Okay. I have a motion.

19 MR. PETERSON: I second that motion.

20 CHAIRMAN LINGENFELTER: Seconded by Rich. Any
21 further discussion? Frank, anything?

22 MR. SCHINDLER: No.

23 CHAIRMAN LINGENFELTER: Ashley, anything you would
24 like to say?

25 MS. GARCAR: No.

26 MR. REPPERT: I am for it.

27 CHAIRMAN LINGENFELTER: Okay.

28 MR. PETERSON: I am for it.

29 CHAIRMAN LINGENFELTER: Okay. All in favor say aye.
30 Opposed?

1 (Five aye votes, no nay votes.)

2 CHAIRMAN LINGENFELTER: Let the record reflect
3 they're all in favor and no opposed, no abstentions. So we're
4 going to strike 16.26(C) with roundabouts. We're going to
5 strike that line out of the text there, Heather. Okay?

6 MS. FREEMAN: Okay.

7 CHAIRMAN LINGENFELTER: All right. I want you to
8 know that I take no pleasure in this most recent development.
9 Okay.

10 MS. FREEMAN: Do you want to just stick with some of
11 the easier ones? While we're in this section, do you want
12 to --

13 CHAIRMAN LINGENFELTER: Yeah, I think we should,
14 yeah, let's talk about the cul-de-sacs including decorative
15 plantings in the center. Do you want to -- I think that
16 should be a, I think it should be an option. I think there is
17 some upside to that but there is also some down side to it,
18 you know, there is, with the plantings in the middle.

19 Like I said, I've walked back where, you know, in
20 Crossroads. There is a couple of cul-de-sacs, one that's just
21 an open cul-de-sac and one on the other way of Fernway Court
22 has a planting in the middle. They have a lot of large river
23 stone there and, in the spring, there is a ton of that river
24 stone is all over the road, you know, because the plows come
25 through and they can't see where the landscape portion ends
26 and the cul-de-sac actually starts and they come through with
27 the blade and it knocks all, I mean, it will push -- There is
28 a substantial amount of river rock laying out in the road.
29 It's a hazard. It's a hazard, you know. And who is going to
30 clean it up, you know? It's goes into the front yard of a

1 home or it goes, it's in the street, gets into the grates for
2 the drainage, you know.

3 I don't know. I am kind of -- But they're nice in
4 the summertime when you see the, when the landscaped centers
5 of cul-de-sacs, they've got some trees planted, they've got
6 some shrubs planted. I think that, I think it's a nice
7 feature. I don't think there is anything wrong with it.

8 I don't agree with the kids turning -- I mean,
9 they're in a cul-de-sac. I mean, if somebody is coming down
10 into in a cul-de-sac and kids are playing in the middle of the
11 cul-de-sac, I mean, whether they're playing baseball or
12 whatever, you know, just playing ball or riding a scooter in
13 the cul-de-sac, I mean, they're in the road. Whether it's got
14 landscaping in the middle or not, I don't think really creates
15 a situation of safety for the kids.

16 So I am kind of, I think it's a good -- I think we
17 should leave it as an option, not require it but leave it as
18 an option. I mean, if a developer wants to put some
19 landscaping in the middle of a cul-de-sac, I think that's
20 okay. If they don't want to, that's okay, too. I don't think
21 it should be a requirement one way or the other.

22 So how do we want -- Do you want to change the
23 wording on that to where all cul-de-sacs should include
24 decorative plantings in the center or may include and kind of
25 leave it a little more optional than to say "shall" because,
26 to me, "shall" means there is no option. So what do you think
27 about that?

28 MR. PETERSON: We can say "are permitted to
29 include." That way, it's optional. But I agree with you.

30 CHAIRMAN LINGENFELTER: Frank, any comment?

1 MR. SCHINDLER: No. I agree, Andy. I have seen too
2 many of them in some of the developments I went through that
3 are a mess unless you have a strong homeowners association
4 that really keep it up.

5 CHAIRMAN LINGENFELTER: Right.

6 MR. SCHINDLER: That's one thing. But over the
7 years, I have found that people just assume. They don't even
8 like to take care of their own yards sometimes, let alone take
9 care of one that's in the center that needs a lot of
10 attention, depending on what the plantings are that you put
11 in, for one thing.

12 CHAIRMAN LINGENFELTER: Right.

13 MR. SCHINDLER: That does make it difficult in the
14 wintertime. That's another thing.

15 And, secondly, that's extra cost for the developer.
16 Now, he can put it in there but, you know, it's more work for
17 him, too, and costly for him. And nowadays, you know, if you
18 can minimize that, I think it's best for both parties, as far
19 as I am concerned.

20 CHAIRMAN LINGENFELTER: Did we get any comments from
21 the Road Department on that, by any chance? Did anybody in
22 the Road Department say anything about plantings in the middle
23 of cul-de-sacs, whether they were in favor of them or not in
24 favor of them, opposed to them, or they were kind of
25 ambivalent? Did we hear anything?

26 MS. FREEMAN: Well, I think it was, as I stated, I
27 did talk to Tim Brown, the Service Department director, as far
28 as the landscaped islands. It does present some challenges
29 for snowplowing for him but, you know, he wasn't adamantly
30 opposed to them as long as he wasn't responsible for

1 maintaining them. That was, pretty much, the gist of it. So
2 if they want to put them in and they're there and the HOA is
3 taking care of them, then so be it. But, you know, as far as
4 snow removal, it does present a little bit of a challenge as
5 far as where to push that snow.

6 CHAIRMAN LINGENFELTER: Right. Well, we certainly
7 get our share of snow.

8 MS. FREEMAN: Yeah.

9 CHAIRMAN LINGENFELTER: And the Road Department, you
10 know, they've got to have a place to put it.

11 MR. SCHINDLER: Well, I know when it comes to
12 cul-de-sacs, I have seen one in another development next to
13 mine, when they go through there, if it's an open cul-de-sac,
14 they're able to push some of the snow a little bit in
15 everyone's front of their property. If they don't do it that
16 way, the ones that have the plantings, they will go and make a
17 massive turn, have a big mound of snow and then they'll pile
18 it on one side of the development and, usually, one guy or one
19 home on that area gets deluged with all the snow on his
20 property.

21 So, there again, it depends on the guy who is doing
22 the plowing that day but I have seen a majority of it ends up
23 more in one person's property than on the others. So if it is
24 open, I see the Road Department has a tendency to give a
25 little bit to everybody and minimizes that. Then it's still
26 open and nice and clean.

27 And I would think the Fire Department would prefer
28 to have not plantings in there to get their big rigs around in
29 there, for one thing, you know. So I know you have to be a
30 concern width, the roads have to be a certain width but at

1 least when they have a large turnaround, they can access their
2 equipment much easier in going around and stuff. So I would
3 think the Fire Department would probably have a little bit
4 more favorable approval about not having that in the middle of
5 a cul-de-sac.

6 CHAIRMAN LINGENFELTER: Ashley, do you have any
7 comments?

8 MS. GARCAR: I do not.

9 CHAIRMAN LINGENFELTER: Hiram?

10 MR. REPERT: Well, if you look at what we're trying
11 to propose here with that RCD, we want to have diverse house
12 placing, not have houses right down the street, forest or some
13 kind of plantings up towards the street. And I think having a
14 cul-de-sac, if you are going to have, you've got a concrete
15 highway right there at the end of the street as opposed to
16 something that's nice to look at. And, yeah, it's going to be
17 part of the homeowners association to upkeep it. And I really
18 don't think it presents that much of a big deal with the snow
19 removal or the Fire Department. It's got to be designed to be
20 the right size so you can get your big fire trucks in there.
21 And I just think, if you're going to look at it from an
22 aesthetics standpoint, the plantings in the center of the
23 cul-de-sac is going to be a plus and I think it will just add
24 to the RCD concept.

25 CHAIRMAN LINGENFELTER: So do you think we should
26 require it or do you think we should recommend it?

27 MR. REPERT: I don't think we should require it. I
28 think we should recommend it.

29 CHAIRMAN LINGENFELTER: Because that would, because
30 right now it's saying --

1 MR. REPERT: Right now, it's a requirement.

2 CHAIRMAN LINGENFELTER: Based on what I am reading
3 and how I would interpret that -- and, counselor, tell me if I
4 am wrong -- but I interpret this as saying "shall include"
5 means you don't have -- there is no option.

6 MS. BELL: Correct.

7 MR. REPERT: So I think it should be a
8 recommendation and not a requirement.

9 CHAIRMAN LINGENFELTER: You okay with that, Frank?

10 MR. SCHINDLER: I will go with that, sure.

11 CHAIRMAN LINGENFELTER: Ashley, you okay with that?

12 MS. GARCAR: I am okay with it.

13 CHAIRMAN LINGENFELTER: Rich, do you have anything
14 you want to say?

15 MR. PETERSON: Yes, definitely a recommendation, not
16 a requirement.

17 CHAIRMAN LINGENFELTER: Okay, all right. So I think
18 we have, I think we have an agreement on that. So we need to
19 change the word "shall" to something less --

20 MR. REPERT: Demanding.

21 MS. FREEMAN: We could just change it to "should"?

22 CHAIRMAN LINGENFELTER: Less definitive. From
23 "shall" to "should"?

24 MR. REPERT: Well, "may."

25 CHAIRMAN LINGENFELTER: Yeah, "may" or "should."

26 MR. REPERT: "May," I think, would be a little bit
27 lighter than "should."

28 CHAIRMAN LINGENFELTER: Yeah. Any recommendations,
29 counselor?

30 MS. BELL: Between those two, it doesn't matter. I

1 also like the "are permitted" language that Rich suggested
2 earlier.

3 MS. FREEMAN: Oh, okay. "All cul-de-sacs are
4 permitted to include decorative plantings"?

5 MS. BELL: Yeah. But it basically all means the
6 same thing.

7 MS. FREEMAN: What do you guys --

8 CHAIRMAN LINGENFELTER: Okay. So we will soften
9 that.

10 MS. FREEMAN: Plantings are permitted or may?

11 MR. PETERSON: I would vote for "are permitted"
12 because it came to mind. That's all.

13 CHAIRMAN LINGENFELTER: Yep. So we're going to say
14 "are permitted"? So how are we going to say that then?

15 MS. FREEMAN: We could say, "Cul-de-sacs are
16 permitted to include decorative plantings."

17 CHAIRMAN LINGENFELTER: So we are going to say "are
18 permitted."

19 MR. PETERSON: And that may open it up, too, for
20 homeowners association. Maybe the developer doesn't put
21 anything there and they decide they want to put a pine tree in
22 the middle or whatever, they can do that. They're permitted
23 to do that, right? The homeowners could do it after the
24 development's in. I have seen them do it in other
25 neighborhoods.

26 MS. FREEMAN: If there was already a lawn area
27 there. I mean, the ones that were in established
28 neighborhoods that were retrofitted, the township did that
29 because that was already a township right-of-way. Once they
30 dedicate the road to the township, the township is the only

1 one that can really do anything in there.

2 MR. PETERSON: Oh, really? Oh, okay.

3 MS. FREEMAN: Yeah.

4 MR. PETERSON: So we're just saying this is strictly
5 for the developer.

6 MS. FREEMAN: Yeah.

7 MR. PETERSON: Okay.

8 CHAIRMAN LINGENFELTER: Okay. So we are going to
9 put that, we are going to amend that part of the text. And I
10 think that both developers made some good comments there on
11 the cul-de-sacs and finished cul-de-sacs. I am okay with
12 that.

13 Is there -- Yeah, then what about D? What about
14 16.26(D), "The right-of-way should be curved when possible and
15 long straight right-of-ways should be split into two one-way
16 lanes with interior islands."

17 MR. PETERSON: That was a complaint in one of the
18 letters that we received about delivery trucks and so forth
19 there.

20 CHAIRMAN LINGENFELTER: Right.

21 MR. REPPERT: Mr. Davis did not like that at all.

22 MR. PETERSON: I don't know. Rich lives in --
23 wherever he is -- lives in an area that has that. Back there,
24 what do you think, Rich?

25 MR. IAFELICE: It is a nuisance to the neighborhood,
26 unfortunately. For the increased frequency of now at-home
27 deliveries, it's certainly causing some headaches.

28 MR. PETERSON: Yeah.

29 CHAIRMAN LINGENFELTER: I think if you were, to
30 me -- In an area that I grew up there was a couple of streets

1 that had islands in the middle but there were four lanes, not
2 two. There were four. There were four lines going in one
3 direction -- or there were two lanes going in one direction
4 and two lanes going in the other direction with, you know,
5 with the ability to cut through every so many sections, so
6 many houses or whatever.

7 So those islands were nice and they were treed and
8 they had grass but there were two lanes so that, if you were
9 to get deliveries or if something were to happen where there
10 was a vehicle stopped, you had the ability to go around where,
11 if you had just a single lane and there is a vehicle that's
12 stopped, you're pretty much dead in the water until either
13 that vehicle moves or, like they were saying, you'd have to
14 back up and find a place and go the wrong way down the other
15 side to get around it.

16 MR. PETERSON: True, true.

17 CHAIRMAN LINGENFELTER: So now you're, in essence,
18 you are putting probably what would be equivalent to five
19 lines in because you're going to probably be looking at least
20 the width of a lane in the middle for the island.

21 MR. REPPERT: Close to it, yeah.

22 CHAIRMAN LINGENFELTER: And then two lines on each
23 side. I mean, that's a substantial amount of property that
24 you are going to be chewing up with just putting those islands
25 in the middle.

26 MR. PETERSON: Yeah. Usually what you're describing
27 is like a city street. Painesville's got some streets like
28 that, the old streets with the wide and then island.

29 CHAIRMAN LINGENFELTER: Right.

30 MR. PETERSON: And it's very nice. But in a

1 residential development, it's a different situation.

2 CHAIRMAN LINGENFELTER: Yeah. I don't know that
3 the -- I don't like the single lane concept there. I don't
4 know that I particularly care for that. I think that that
5 causes -- it's a, I think it causes a safety issue, first and
6 foremost. That would be probably number one on my list as far
7 as my concerns on that. Secondly, I think, although it may
8 seem like a good, noble idea, I don't know, in practicality,
9 that that would work.

10 Frank, any comments on 26 -- or 16.26(D) with the
11 split one-way lane?

12 MR. SCHINDLER: Well, it is difficult, I know that.
13 I have seen the UPS trucks coming down our street very
14 frequently nowadays with everybody getting deliveries, and
15 especially if they all come together, which some mornings Fed
16 Ex and UPS all seem to come together and they're parked
17 practically almost on top of each other.

18 MR. PETERSON: Not to mention the landscaping
19 trailers and the trucks that are parked. They're everywhere.

20 MR. REPPERT: Oh, yes.

21 CHAIRMAN LINGENFELTER: Forget Amazon and UPS and
22 Fed Ex trucks, like you said.

23 MR. PETERSON: Landscapers alone, yeah.

24 CHAIRMAN LINGENFELTER: Summertime with the
25 landscaping trucks, I mean, they take up --

26 MR. PETERSON: They take up the street.

27 CHAIRMAN LINGENFELTER: They take a full lane
28 without even trying with the size of those trailers and the
29 flatbeds and everything. So, yeah, I wasn't even thinking
30 about that.

1 MR. REPPERT: So what can we do with the long
2 straight right-of-ways?

3 MR. PETERSON: That's actually good.

4 MR. REPPERT: Leave it long and straight?

5 MR. PETERSON: Hiram, the curve. They're doing the
6 extension of my street in the RCD right now, Dawson is, and
7 he's put a big curve. And when I looked up there, they poured
8 the curbs. They're about ready to pave the street. But it
9 really looks sharp because it goes to right and then it curves
10 and it goes up an elevation. It's really dramatic looking and
11 I think, if they can do that, we should encourage it.

12 CHAIRMAN LINGENFELTER: Yeah, I don't have a problem
13 with the curve, should be curved when possible. Maybe say
14 something to the effect of "long straight right-of-ways are
15 discouraged" or "would be discouraged."

16 MR. PETERSON: Even the way it is, Andy, "should be
17 curved when possible," period.

18 CHAIRMAN LINGENFELTER: We have "right-of-ways
19 should be curved when possible," but then we're dealing
20 specifically with long, straight right-of-ways. So even
21 though they're under one section, under D, I think they're two
22 separate issues. So why don't we say that --

23 MR. PETERSON: Long straight right-of-ways are
24 discouraged?

25 CHAIRMAN LINGENFELTER: Or maybe what we can say is
26 "long straight right-of-ways should be, should be," how about
27 if we say "should be curved when possible"?

28 MR. PETERSON: Then they're not long straight right-
29 of-ways.

30 CHAIRMAN LINGENFELTER: Or do we just take out,

1 strike that whole second sentence and just leave "right-of-
2 ways should be curved when possible."

3 MR. PETERSON: That's it. Keep it simple, I would
4 say, yeah.

5 CHAIRMAN LINGENFELTER: Strike the "long straight
6 right-of-ways," just strike that sentence, completely.

7 Frank, any comment on that?

8 MR. SCHINDLER: That sounds like it would be more
9 preferable.

10 CHAIRMAN LINGENFELTER: Okay.

11 Ashley, any comment?

12 MS. GARCAR: No comment.

13 CHAIRMAN LINGENFELTER: Hiram?

14 MR. REPERT: Should we put "long" in front of
15 "right-of-ways" in D, say "long right-of-ways should be curved
16 when possible"?

17 MR. PETERSON: Then you would have to define "long."

18 MR. REPERT: Okay. Leave it just the way it is,
19 drop the second sentence.

20 CHAIRMAN LINGENFELTER: Okay.

21 Rich, any comments?

22 MR. PETERSON: I agree. Drop the second sentence or
23 second part of the sentence.

24 CHAIRMAN LINGENFELTER: Rich, do you want to throw
25 down on this while you're back there in the corner?

26 MR. IAFELICE: I actually came to apologize.

27 CHAIRMAN LINGENFELTER: Oh, you don't have to do
28 that.

29 MR. IAFELICE: So I agree with the motion on the
30 table.

1 CHAIRMAN LINGENFELTER: Okay, good. We don't want
2 you to feel like you're being left out back there or we're
3 ignoring you.

4 MR. IAFELICE: Thank you, Andy.

5 CHAIRMAN LINGENFELTER: Okay. So on 16.26, Item D,
6 we are, it seems that the consensus would be to strike the
7 second sentence regarding "split into one-way lanes with
8 interior islands." Strike that sentence out of that text
9 right there and just leave it as "right-of-ways should be
10 curved when possible." I think that covers what we're looking
11 for there unless there is anybody in disagreement. I haven't
12 heard anything, so I am going to assume you're okay with that.

13 So, Heather, we can do that.

14 MS. FREEMAN: Okay.

15 CHAIRMAN LINGENFELTER: So that kind of covers
16 16.26. I think we've kind of, kind of butchered that one up
17 quite a bit but I think it was good conversation. I think it
18 was very productive. This is the reason we do work sessions.
19 I think I am very happy with that, those changes.

20 So that kind of knocks off a couple of their beefs
21 pretty good. B, we got that one taken care of. 16.26(C), we
22 got taken care of. 16.26(D), we've got taken care of. So I
23 think we have hammered, kind of knocked off a couple of the
24 big points that the guys from ProBuilt and Little Mountain
25 were concerned about, right, divided roadways, roundabouts,
26 cul-de-sacs planting.

27 16.24(F), what's he referring to, maximum height
28 permitted?

29 MS. FREEMAN: The 16.24(F) was the Environmental
30 Restoration Plan.

1 CHAIRMAN LINGENFELTER: Oh, hold on a minute. Yep,
2 I am on the wrong one. Let me -- I've got two pages here.
3 All right. So 16.24(F), any open space area that includes
4 previously disturbed land, such as old farm field, shall be
5 provided, an Environmental Restoration Plan and Seasonal
6 Maintenance Plan shall be submitted.

7 MS. FREEMAN: Mr. Chairman, it seemed like both of
8 the builders were looking for clarification on, you know, what
9 that was and what the intent was.

10 CHAIRMAN LINGENFELTER: Right.

11 MS. FREEMAN: It sounds like we might need to come
12 up with a little bit more guidance or maybe some kind of
13 explanation or definition on what that expectation might be.

14 MR. SCHINDLER: Wasn't our expectation on plantings,
15 for example, whatever is considered appropriate for the areas
16 of the country that you live in would be the appropriate
17 plantings. In other words, you wouldn't be planting a palm
18 tree, for example, in Concord.

19 MS. FREEMAN: Right.

20 MR. SCHINDLER: Whatever the native plants are
21 considered for, you know, like our zone would be the
22 appropriate plantings, the way I see it.

23 MS. FREEMAN: Well, yeah, I agree. Native plantings
24 should go back in there.

25 MR. SCHINDLER: Right.

26 MS. FREEMAN: But what is the intent? You know,
27 would we be looking, are we trying to guide them to one way or
28 the other? Are we looking for them to reforest that open
29 space or are we looking to allow them to do meadows or do we
30 need to define that or clarify that or do we just want them to

1 give, Here is what we would like to do and here is our plan
2 for it?

3 MR. SCHINDLER: I think it's very difficult to try
4 to have a plan for a piece of land that might be unique in
5 itself.

6 MS. FREEMAN: Right.

7 MR. SCHINDLER: You know what I mean? If there
8 already streams going through it with this grass that can grow
9 10 feet tall, for example, that's considered native. That's
10 what Mother Nature allowed to be built there. And those kind
11 of things, that's what my feeling is, should be maintained.
12 And if they had to go in there and disturb anything like,
13 something like that, they have to put it back in that
14 configuration so it looks as natural as possible and don't try
15 to put something else in there. That's my opinion.

16 Because we have one coming up now, you know, this
17 one we're looking at, this big one now that's RCD that's on,
18 you know, off of Hoose Road where they want to move the ponds
19 and everything. Me, I, you know, if we're supposed to keep
20 this as natural as possible, I don't want to see things
21 disturbed because that's the nature of what we're trying to
22 achieve. So whatever kind of vegetation was there and had to
23 be disturbed a little bit to bring construction, it should be
24 put back just the way it is, whatever was there.

25 CHAIRMAN LINGENFELTER: Ashley, do you have any
26 comments?

27 MS. GARCAR: No.

28 CHAIRMAN LINGENFELTER: You're awful quiet tonight.
29 You don't have any input?

30 MS. GARCAR: Everyone keeps saying what I'd like to

1 say first.

2 CHAIRMAN LINGENFELTER: Hiram, anything, anything to
3 add?

4 MR. REPERT: On 16.24(F)?

5 CHAIRMAN LINGENFELTER: Yes, 16.24(F) on the
6 Environmental Restoration Plan and Seasonal Maintenance Plan.

7 MR. REPERT: No, no comments.

8 CHAIRMAN LINGENFELTER: Rich?

9 MR. PETERSON: Well, that's a tough one because, at
10 one point, everything was forest and for the last 100 years
11 some of these meadows that were old farms have been meadows.
12 And so does that become the natural state because it's been a
13 meadow for 100 years? Maybe so. But if it's a meadow, what I
14 think happens -- and I think you've alluded to this in the
15 past, Andy -- is that people's back property line goes back
16 and then it's just grass. They start encroaching, you know.
17 They cut a little further back and cut a little further back
18 and, eventually, their half acre turns into three-quarters of
19 an acre because they've cut the field even though it's common
20 ground.

21 How you legislate that into this, I don't know. But
22 planting wildflowers, I think we talked about wildflowers or
23 trees in that area might be a good thing because it would kind
24 of discourage that kind of, you know, encroachment.

25 CHAIRMAN LINGENFELTER: Would it?

26 MR. PETERSON: Well, maybe not but, you know.

27 CHAIRMAN LINGENFELTER: Yeah, I think a good
28 example, I think a good example of that is Lilly Farms because
29 a lot of the open space on the back end of those lots with
30 Lilly Farm is just --

1 MR. PETERSON: Just farm land.

2 CHAIRMAN LINGENFELTER: It's just open, it was an
3 open field.

4 MR. PETERSON: Right.

5 CHAIRMAN LINGENFELTER: So there is really nothing
6 between the end of their lot line and then the development
7 that is on -- I never remember the name of that street --
8 Meredith.

9 MS. FREEMAN: Meredith.

10 CHAIRMAN LINGENFELTER: Meredith Lane. There is
11 nothing. There is a mound.

12 MS. FREEMAN: Right.

13 CHAIRMAN LINGENFELTER: There is a mound that was
14 put in from the folks that were living on Meredith and there
15 is trees planted on those mounds and whatnot. But then once
16 you get on the other side of that mound, it's pretty much just
17 flat land, you know, but not a whole lot of grass, you know.
18 That's it. So, yeah, it would be very easy for somebody to
19 take their half acre lot and turn it into a three-quarter acre
20 lot or more by just continuing to mow further and further
21 back.

22 MR. PETERSON: Just mow a couple passes back each
23 time.

24 CHAIRMAN LINGENFELTER: Right, exactly. And that's
25 the issue you run into. I think, if I read Rich's -- If I
26 read Rick's comments in his email, his question is, What is an
27 Environmental Restoration Plan? He's confused. He doesn't
28 understand. And do we address that in Definitions? Do we
29 have a definition of what an Environmental Restoration Plan
30 actually is? Because I -- What is an Environmental

1 Restoration Plan? Is there a clear definition of that in some
2 sort of text or somewhere within the Lake County regs or
3 within the ORC or anything like that or is that kind of going
4 to be up to us to kind of define what an Environmental
5 Restoration Plan is?

6 Because if we're going to throw it out there, we
7 should probably define it so that they understand what exactly
8 they're going to be -- I think that's Rick, if I read his
9 comments, I am reading that that's his question. He just
10 didn't understand. What do we want?

11 MR. REPPERT: Yeah, we have to define it. I think
12 we have to do that.

13 CHAIRMAN LINGENFELTER: You want me to provide an
14 Environmental Restoration Plan. Okay. Well, what is an
15 Environmental Restoration Plan? What does that mean?

16 MR. PETERSON: What do I have to restore it to?

17 CHAIRMAN LINGENFELTER: Right. And if it's already
18 an open -- If it's just a piece of previously disturbed land,
19 what are you restoring it to? It's a field. So what are you
20 going to restore the field to?

21 And like George Davis says, are you just going to
22 plant trees and turn it back into woods or what are you going
23 to do? Are you just going to let nature take its course and
24 whatever grows back there grows, if it turns into scrub brush
25 or, you know? What's the thought? What was the intent?

26 MR. SCHINDLER: Doesn't the county have -- What is
27 it, Soil and Water? They have a department that handles
28 restorations of creeks and stuff.

29 MS. FREEMAN: Yeah. I would --

30 MR. SCHINDLER: I know some years ago they were

1 looking at widening a creek over through our development and
2 they had a plan and they have a booklet that shows what
3 restoration should be like and what it should be. That may be
4 something I think we should look into because they already
5 have something that I remember seeing and it dealt with
6 plantings and things of that nature and how wide to make
7 streams and what you could put back in there to keep it from
8 starting to -- I don't want to say pollute again but that's
9 the wrong word to use -- but allow it from not becoming all
10 loaded up again with, especially when people are doing so much
11 at the creek, dumping their yard waste in there after they cut
12 their grass, which is a bad thing to do. You're not supposed
13 to do that.

14 So they had plans on, you know, what could be done,
15 what should be done for the various areas. And I remember
16 seeing a booklet. I don't know if I still have it at home or
17 not but I know the county has a department that we can
18 probably request that kind of information.

19 MS. FREEMAN: Yeah, I think Soil and Water would be
20 a good resource to help us maybe define it but I don't think
21 we will be able to come up with a prescription per se.

22 MR. SCHINDLER: No. It might give us --

23 MS. FREEMAN: Because I think they were probably the
24 entity that probably suggested this to the township initially
25 when we were looking at the Comp Plan Update.

26 And the Lilly Farm is a great example of, you know,
27 what it, you know, with a disturbed farm field, what is that
28 going to look like in years to come.

29 CHAIRMAN LINGENFELTER: The point in that is, what
30 do you restore it to?

1 MS. FREEMAN: Right, right.

2 MR. PETERSON: Well, and part two is a Seasonal
3 Maintenance Plan. Does that mean, if it's a field, it has to
4 be mowed? What is a Seasonal Maintenance Plan?

5 MS. FREEMAN: Yeah, because if you're going to
6 restore it to a meadow or something, there is a lot of
7 maintenance involved with a meadow and certain times of the
8 year you're supposed to cut or burn it and things like that.

9 MR. PETERSON: Yeah.

10 MS. FREEMAN: It's probably much easier to plant
11 trees and just let them forest, just naturally grow, if that's
12 what they would propose.

13 MR. REPERT: Does this have anything to do with
14 what the contractor can clear in his development?

15 MS. FREEMAN: No.

16 MR. REPERT: Because that's one of my big concerns.
17 If we have this half acre lot with a meadow or grassland
18 behind it, I am afraid that the contractor -- and that's his
19 land -- I am afraid that he is going to come in there and just
20 wipe everything out, take it back down to bare dirt, save the
21 topsoil, sell the topsoil and get money from that and then
22 leave it go.

23 MR. PETERSON: They haven't done that where I live.
24 They've left it meadow.

25 MR. REPERT: Well, that's good.

26 MS. FREEMAN: I mean, encroachment into the open
27 space is always a concern. And I know, with Concord Ridge and
28 a couple other ones, they talked about getting a third-party
29 entity to hold a conservation easement on it who would then go
30 in and do an annual inspection and look for encroachments like

1 that or cuttings or people, you know, creating lawn area and
2 making their half acre lot a three-quarter acre lot, you know.

3 And that was one thing that you all could consider,
4 too, is maybe requiring a third party to hold an easement
5 or --

6 MR. REPPERT: Right.

7 MS. FREEMAN: -- an easement of some kind on the
8 open space, such as Soil and Water or a land conservancy to
9 do that but we haven't talked about that previously.

10 I think, I think when I was talking with Dan
11 Donaldson, with Soil and Water, he said Concord Ridge, they've
12 been going back and forth still with the developer and they're
13 still entertaining taking an easement on that to do the
14 inspections on the open space over in Concord Ridge, which
15 would be great. I believe he put up signs delineating, you
16 know, where the private property ends and the open space
17 begins alerting, you know, lot owners of, you know, this is
18 now open space and you're not permitted to come back here and
19 do certain things.

20 CHAIRMAN LINGENFELTER: That was my thought process
21 before when we talked about this, delineating, you know, put
22 up like just a post.

23 MS. FREEMAN: Yeah, like you've been -- You walk the
24 metroparks, how they have the little symbol.

25 CHAIRMAN LINGENFELTER: Just a post with a little
26 sign on it that says, you know, anything past this sign is
27 open space and is not --

28 MR. PETERSON: Not for yard waste and things like
29 that.

30 CHAIRMAN LINGENFELTER: Right.

1 MS. FREEMAN: We don't have that in here but we
2 could easily add something like that.

3 MS. GARCAR: Is there going to need more definition
4 of what open space with woods is and clarify the difference
5 between your back yard with woods and making it larger versus
6 what Frank has said about moving small bodies of water, of
7 having, differentiate that? Is that a possibility of --
8 Because I feel like some of the stuff Frank has said is a
9 little bit different than planting trees or -- in the back.

10 CHAIRMAN LINGENFELTER: Well, when you have a
11 waterway, I mean, that's different, depending on whether it's
12 natural or whether it's man-made for drainage reasons or
13 whether it's a swale that gets put in between, you know, homes
14 or things like that. I mean, that's a different story. But
15 if it's a natural occurrence then, you know, then I think it
16 then falls under the riparian setbacks and all the -- any of
17 those delineations. I think it's covered.

18 I think, to me, the environment, I think if we're
19 going to put a term like "Environmental Restoration Plan," we
20 should define it. We should put specific, you know, words to
21 it as to what it means and then put it in the Definitions area
22 so that it's clear. When somebody sees that term, then they
23 can refer to the definitions to read what an Environmental
24 Restoration Plan is, you know, or strike it.

25 MR. SCHINDLER: I would like to see us come up with
26 some verbiage rather than strike it because that's the intent
27 of this type of development. So he's right, we should clarify
28 it. So if you could contact the county, Heather, and see if
29 they have a term that we can use or something that we could
30 work with.

1 CHAIRMAN LINGENFELTER: See, my thought is, if
2 you're coming into an area that's got previously disturbed
3 lands, like farm fields, my thought, and if it's a part of the
4 open space, I would think you would just leave it alone. You
5 wouldn't do anything to it. That would be the natural way.
6 And at some point in time, the woods will come back, you know.
7 They will grow out to fill that in or things will grow there
8 naturally. Whatever, you know, whatever is already there will
9 continue to grow and flourish to where it's, you know, it's an
10 obvious -- I am thinking, I am thinking of areas where I have
11 seen like there has been strip mining or there's been logging,
12 you know, things like that where they cut down and they leave,
13 there is a lot of open area. It fills back in. It doesn't
14 fill in overnight. It takes time. But over time, new trees
15 start to sprout, new things start to grow, you know, just it's
16 a natural thing.

17 So I don't know that, do you want -- Is it really,
18 if it's in the open space, do we want them to be messing with
19 it? I mean, do you want them to just let it go and it will
20 become whatever it becomes, you know, whether it turns back
21 into woods, then it turns back into woods. If it stays as a
22 field or a meadow, it stays as a field or a meadow. It's
23 just, you know, snow in the wintertime will push it all down
24 to the ground and it will, you know -- Like you go to Skok
25 Meadow now, it's flat. You can see all the way. But towards
26 the end of the summer, I mean, you can barely see people
27 walking, you know, from up on the observation deck. You can
28 barely see to the woods, you know, from the field, from all
29 the stuff that's growing in the meadow, you know. But I don't
30 think they cut that or I don't think they really do anything

1 with it. It's just, you know, when we get heavy snow, it just
2 pushes everything down and it just comes back up in the
3 spring, you know, in the spring and summer.

4 MR. PETERSON: The key is just keeping it
5 undisturbed, you know. That's the challenge.

6 CHAIRMAN LINGENFELTER: Yeah. That's, I think, the
7 intent is to just, open space is what it is. It's open space
8 and it should be left as such. And, you know, I don't know.
9 Do we want to be going in and specifying what you need to do
10 with the open space if it's just an open area and not -- Like,
11 woods are easy. You just leave it alone. Okay? But if it's
12 an open field, then what do you do? Do you just leave it as
13 an open field or do you go in and start planting things in the
14 open field? I mean, naturally, there'll be wildflowers
15 growing, there will be scrub brush growing, there will be all
16 kind of things that just grow naturally without any
17 intervention, I would think. You know, so --

18 MR. SCHINDLER: I would think, Andy, if it comes to
19 that, you are absolutely right. But if a developer, my point
20 is, if a developer disturbs it, for whatever reason.

21 CHAIRMAN LINGENFELTER: Well, they shouldn't disturb
22 it.

23 MR. SCHINDLER: Right.

24 CHAIRMAN LINGENFELTER: It's open space. It should
25 be roped off or it should be delineated and there shouldn't be
26 any encroachment there far as dumping any, you know, any land
27 or dirt or rocks or anything. I mean, if it's open space,
28 then it should, where the lot, where the actual lot line ends
29 and the open space begins, it should be, pretty much, that's
30 where it stops and they shouldn't be going into the open space

1 to disturb that at all. So --

2 MS. FREEMAN: Frank, there is another section that
3 we do require like a landscape plan if they do disturb during
4 construction some portions of the open space.

5 CHAIRMAN LINGENFELTER: Right.

6 MR. SCHINDLER: Yeah, correct.

7 MS. FREEMAN: But it doesn't cover, you know, this
8 is a little bit different. This is, you know, if you come in
9 with a straight farm field, you know, what are you going to do
10 with the open space or something like that?

11 CHAIRMAN LINGENFELTER: Right. Just like a
12 retention pond, you know, they put in a retention pond, you
13 know.

14 MR. SCHINDLER: Yeah. And you're not supposed to
15 plant in there because it's supposed to be there for storms.

16 CHAIRMAN LINGENFELTER: Right.

17 MR. SCHINDLER: But then you get people that start
18 planting in there and that's a no-no. It defeats the purpose
19 of what the retention basin is supposed to do.

20 CHAIRMAN LINGENFELTER: Well, there is retention
21 basins, you see them all the time in developments. There is,
22 you know, the vast majority of the time, they're empty. There
23 is grass growing in it for the majority of the time. But
24 every once in a while, you drive by and it's like, whoa, there
25 is water in there.

26 MR. SCHINDLER: Sure.

27 CHAIRMAN LINGENFELTER: But it's not very often that
28 you see that but, you know. So my thought is we, you know, I
29 think that the environment -- Do we want to define
30 "Environmental Restoration Plan" or do we want to strike it

1 from that, from section -- What is that?

2 MR. REPPERT: 24.

3 CHAIRMAN LINGENFELTER: 16.24(F), 16.24(F). Frank,
4 any comment?

5 MR. SCHINDLER: Well, if we can't come up with
6 something from the county, I would say, and it's still vague
7 or it could be confusing, I agree, we should strike it
8 altogether. If we can't define it, there is no sense in
9 putting it in there because every developer whoever comes in
10 there that reads that, they will all say the same thing. What
11 are you talking about, you know?

12 CHAIRMAN LINGENFELTER: Ashley, any comments?

13 MS. GARCAR: I like the idea of looking for a
14 definition before we decide to strike it.

15 CHAIRMAN LINGENFELTER: Okay.

16 Hiram?

17 MR. REPPERT: If I were a developer, I think I could
18 sit down in a half an hour and come up with an Environmental
19 Restoration Plan and a Seasonal Maintenance Plan for any
20 development we have in Concord Township. It may only be a
21 one-liner, and that is, you know, "It was fields to begin with
22 in this area and we're going to keep it that way." That's my
23 Environmental Restoration Plan: I am going to keep it the way
24 it was before.

25 So, number one, I don't think it's a big deal. But
26 I think, if we're going to keep it in there, we ought to
27 define it. And if we don't want to take the time to define
28 it, let's take it out. We can always put it in later. So I
29 don't see what they're squawking about, I really don't.

30 CHAIRMAN LINGENFELTER: Rich, any comment over

1 there?

2 MR. PETERSON: I agree with the comment that either
3 define it or remove it. I would like to see some kind of
4 language to preserve it, as you mentioned, delineate it or
5 preserve, define it or remove it as it's written here.

6 CHAIRMAN LINGENFELTER: Right.

7 Rich?

8 MR. IAFELICE: May I?

9 CHAIRMAN LINGENFELTER: Yes, please.

10 MR. IAFELICE: So I completely agree with Andy's
11 point.

12 My first question is to Heather. Who recommended
13 this language in the first place? Because I don't recall
14 seeing this before.

15 MS. FREEMAN: That's --

16 MR. IAFELICE: Who inserted it?

17 MS. FREEMAN: We did discuss it as a board.

18 MR. IAFELICE: This? Okay.

19 MS. FREEMAN: Yes, the Environmental Restoration
20 Plan, it was one of the items that we were debating on from
21 the Comp Plan Update.

22 MR. IAFELICE: From the Comp Plan Update, okay.
23 Thank you, Heather. Okay.

24 MS. FREEMAN: Yeah. Remember when we want through
25 and we were doing, do we want to make it required,
26 discretionary or not at all?

27 MR. IAFELICE: Thank you.

28 Well, an interesting debate. I agree with Andy
29 because I believe 24(E) basically gives the direction to the
30 developer and it prescribes the intent of the township, to

1 ensure that the designated open space is maintained and
2 preserved in its natural state. So it says it's the
3 responsibility of the association, land trust or organization
4 to do that.

5 In my experience, environmental restoration becomes
6 onerous and it could be quite scientific in nature, depending
7 on how far you go with it.

8 Thanks for letting me share that.

9 CHAIRMAN LINGENFELTER: All right. Well, here is
10 what I think we should do. I think we should get Heather to
11 see if the Lake County Planning Commission has any
12 documentation, Soil and Water District has anything that might
13 help us there. I would -- I wouldn't be opposed to keeping it
14 in the text but I think, if we're going to keep it in the
15 text, we should define it. We should have a definition so, at
16 least, it gives -- And I agree with Hiram's point, I mean.
17 But if you don't have a definition, then there is no guideline
18 and somebody could literally put together, in 15 minutes and a
19 can of beer, you know, with his buddies, an Environmental
20 Restoration Plan. So I think we should try to maybe put a
21 little bit of a definition behind it so they understand what
22 the intent is there and where they should go with it. I think
23 that would be a good way to approach it. And then we can look
24 at the definitions, maybe come up with a couple options on the
25 definition. And if we don't like it, then we can --

26 MR. REPERT: Take it out.

27 CHAIRMAN LINGENFELTER: Then we can take it out.
28 But let's try to define it first and see if we can come up
29 with a reasonable definition before we just remove it. I
30 think that would be good way to go with that.

1 And the same thing with "Seasonal Maintenance Plan,"
2 I mean, I think we should try to come up with a definition of
3 what does that mean, you know. What is a Seasonal Maintenance
4 Plan? What's the definition on that?

5 So if we could do something like that, Heather, we
6 could have further discussion on that.

7 MS. FREEMAN: Okay.

8 CHAIRMAN LINGENFELTER: I think that would be
9 helpful. Okay?

10 Anything else we want to talk about?

11 MS. FREEMAN: Mr. Chairman, while we're on that same
12 page, if we just move up to the, under Subsection (E) where we
13 added in that phrase "open space areas shall be provided
14 abutting the road right-of-way in order to break up the
15 continuous row of house" there, I know there was some pushback
16 a little bit from Mr. Colwell indicating that requiring that
17 open space frontage at the board's discretion, in conjunction
18 with requiring that 40 percent open space, could be -- He
19 indicated that future zoning boards might abuse that. I don't
20 know.

21 I know we had originally, I think, legal had
22 suggested that maybe we define how much open space we wanted
23 to see abutting the right-of-way. We opted not to do that.
24 It sounded like Mr. Davis didn't think, you know, he didn't
25 indicate, you know, a size of open space but just even having
26 open space abutting the right-of-way seemed like he didn't
27 like it. But the way I read Mr. Colwell's letter, you know,
28 requiring that could basically, you know, impact the project
29 and maybe make it not a viable project.

30 So I don't know if we want to discuss that to

1 clarify what we mean by that or change anything or not.

2 MR. REPERT: I think he said something like the
3 trees are going to blow over or so on and so forth if they're
4 not surrounded by other trees and things of that sort.

5 MS. FREEMAN: Yeah.

6 MR. PETERSON: Or die.

7 MS. FREEMAN: Try to preserve the larger tract,
8 larger areas.

9 MR. REPERT: Yeah. But I think that the point we
10 have here is that we don't want that continuous row of houses.
11 That's the one thing, that's what we're trying to get away
12 from. And that's what it says there, "in order to break up
13 the continuous row of houses." So however we do that is the
14 intent of the RCD that we're trying to get across. Instead of
15 saying "shall," maybe we ought to put this "may be" again,
16 instead of making it a definite requirement, making it a
17 suggestion.

18 CHAIRMAN LINGENFELTER: Yeah, I am not sure where
19 Rick Colwell was coming from with his, you know, zoning boards
20 abusing that. But I think George, I think George Davis, in
21 the same token, I think what he says, that's an accurate
22 assessment because trees that are in woods typically have
23 pretty shallow root systems. So if you expose them, you cut
24 down a lot of trees around them and there is nothing left
25 there, they are definitely subject to being, you know, to
26 blow over, you know.

27 MR. PETERSON: Right.

28 CHAIRMAN LINGENFELTER: So that does create a
29 problem.

30 MR. PETERSON: And the "shall" could lead to future

1 abuse, I guess, because we could say we mandate it.

2 CHAIRMAN LINGENFELTER: Right.

3 MR. PETERSON: It's "shall," you have to do it. So
4 I like Hiram's choice of "may" as opposed to "shall."

5 CHAIRMAN LINGENFELTER: So we want to strike "shall"
6 and just put "may"?

7 MR. PETERSON: That would be my suggestion.

8 CHAIRMAN LINGENFELTER: Frank?

9 MR. SCHINDLER: I agree.

10 CHAIRMAN LINGENFELTER: Ashley?

11 MS. GARCAR: I like "may."

12 CHAIRMAN LINGENFELTER: Hiram?

13 MR. REPERT: I like it.

14 CHAIRMAN LINGENFELTER: Okay. Rich, it was your
15 idea, so I think you're in favor of it.

16 MR. PETERSON: Yeah, I'll stay with it.

17 CHAIRMAN LINGENFELTER: All right. So why don't we
18 change that, change "shall" to "may." Okay? Okay with that.

19 MS. FREEMAN: I think the biggest one that we
20 haven't really discussed in detail is the whole review process
21 and the elimination of the yield plan. I don't know if we may
22 need to take a little more time to chew on that or not. I
23 don't think they really commented on much else other than, you
24 know, there was no pushback on some of the other items we put
25 in here about --

26 CHAIRMAN LINGENFELTER: Right.

27 MS. FREEMAN: -- where the streets intersect an
28 existing street or extends, you know, and having that larger
29 setback. That seemed to not be an issue.

30 There were no comments on the perimeter building

1 regulations where we were suggesting maybe 100 foot off the
2 perimeter of the RCD. I did take a look at that 100 foot
3 perimeter, no house within 100 foot of the perimeter of an
4 RCD. I looked at a couple of the RCDs that were already
5 approved and built. Specifically, I looked at Concord Ridge.
6 And I apologize. I didn't make a handout for everybody
7 because I just threw this together real quick. But I took a
8 GIS map and I did a 100 foot buffer around the perimeter of
9 the development, and so that purple shading on there is 100
10 feet. And if you look, so in Concord Ridge, those are half
11 acre lots, lots of open space, and all the homes under Concord
12 Ridge would have been permitted under that 100 foot buffer
13 requirement. So I don't think that really impacted that
14 project.

15 That could have been specific to how it was laid out
16 or maybe it was the dimensions of those lots. You know,
17 they're much deeper. They're like 90 foot wide lots by about
18 200 feet deep, 190 feet deep.

19 Whereas, opposed to like Orchard Springs, these are
20 the quarter acre lots, so they're more shallow and not as
21 wide. Now, with this one, I applied the 100 foot buffer.
22 There were many homes that would not have been able to be
23 constructed, specifically, on the north border. So then
24 I applied a 50 foot buffer. So you can see two different
25 colorings on there. For that project I looked at, you know,
26 whether it was 100 foot or a 50 foot and what did that look
27 like, and the 50 foot seemed to work better for that existing
28 development.

29 I know, I think we were debating on that 100 feet.
30 If I recall, we weren't quite sure on that number. And I can

1 send those to you if you want to look at them.

2 CHAIRMAN LINGENFELTER: That's good stuff, Heather.
3 That's good work. It's very helpful.

4 MS. FREEMAN: And I think, you know, without doing
5 it to Lilly Farms, I know that 100 buffer would not have been
6 an issue for that development because they have the open space
7 on both the north and the south perimeter. The west perimeter
8 was already an RCD, so that was the same character. And then
9 to the east -- I take that back. To the east, it might have
10 impacted the first two lots, you know, coming off the new road
11 extension but, you know, there was probably some wiggle room,
12 some plying. If the developer knew that in advance, they
13 would've just accommodated for that in the design of the
14 development.

15 But I kind of think that 100 foot, you may want to
16 look at that in regards to, was it previously zoned R-1 or
17 previously zoned R-4? Because you know how we make that
18 designation for some of the other things?

19 CHAIRMAN LINGENFELTER: Right.

20 MR. PETERSON: Yeah.

21 MS. FREEMAN: We could maybe say, if you are going
22 from R-1 then it's a 50 foot, if you are going from R-4 then
23 it's a 100 foot perimeter buffer. Just throwing that out
24 there.

25 CHAIRMAN LINGENFELTER: I don't think that's a bad
26 idea.

27 MR. PETERSON: No. I like that suggestion.

28 MR. REPPERT: I like that.

29 MS. FREEMAN: Remember what we're trying to do is
30 create that transition between the two developments.

1 CHAIRMAN LINGENFELTER: And that fits because of the
2 -- Yep, right.

3 MR. REPPERT: I like that.

4 CHAIRMAN LINGENFELTER: I like the 50 for the R, if
5 it's an R-1 and the 100 for an R-4. I think that makes sense.

6 MR. REPPERT: Yep, I agree.

7 CHAIRMAN LINGENFELTER: So I am okay with that.

8 MS. FREEMAN: Okay.

9 CHAIRMAN LINGENFELTER: Where is that spelled out?

10 MS. FREEMAN: Oh, yeah, sorry. That's on page 16.20
11 at the bottom, Subsection (E), that Perimeter Building
12 Regulations.

13 CHAIRMAN LINGENFELTER: Okay, gotcha.

14 MS. FREEMAN: Yeah, 16.25(E).

15 CHAIRMAN LINGENFELTER: Perimeter Building
16 Regulations?

17 MS. FREEMAN: Um-hum.

18 CHAIRMAN LINGENFELTER: Okay. So do you want to
19 specify, do you want to do the 100 feet, 50 feet?

20 MS. FREEMAN: If the board wants to do that, I can
21 change the language to reflect that.

22 MR. PETERSON: Yeah.

23 MR. REPPERT: Yes.

24 CHAIRMAN LINGENFELTER: Frank, do you have any
25 comments on that?

26 MR. SCHINDLER: No. I agree.

27 CHAIRMAN LINGENFELTER: Okay. Ashley?

28 MR. SCHINDLER: It makes good sense.

29 MS. GARCAR: I agree.

30 CHAIRMAN LINGENFELTER: Okay.

1 MR. REPPERT: I agree. I agree wholeheartedly.

2 CHAIRMAN LINGENFELTER: Rich Peterson?

3 MR. PETERSON: I agree.

4 CHAIRMAN LINGENFELTER: Rich Iafelice, do you want
5 to weigh in?

6 MR. IAFELICE: Heather made some good points there,
7 from what I heard there. I agree.

8 CHAIRMAN LINGENFELTER: Okay. So let's take
9 15.25(E) (sic) and we will change the wording to that to be,
10 "No dwelling shall be located within 100 feet of the perimeter
11 of the RCD project boundary adjacent to an existing
12 development of a different character for an R-4," and then a
13 50 foot similar language for an R-1. So we will expand on
14 that just a little bit.

15 MS. FREEMAN: Okay.

16 CHAIRMAN LINGENFELTER: Do 50 feet, 50 feet R-1 and
17 then 100 feet R-4. Okay?

18 All righty, knocking them off. Anything else,
19 Heather, that we should take a hard look at?

20 MS. FREEMAN: Well, as I said, I think the biggest
21 thing is the whole review process and are you guys comfortable
22 with what we've got as far as eliminating the yield plan? Do
23 you want to --

24 CHAIRMAN LINGENFELTER: I am just not a fan of a
25 yield plan, I am just not.

26 MS. FREEMAN: Keep as we have or do we -- Is making
27 the minimum 30 percent threshold, is that too high? I mean, I
28 know current was at 10, you know, so just -- Maybe with the
29 other changes that we're proposing, it would be more
30 palatable.

1 CHAIRMAN LINGENFELTER: Right.

2 MS. FREEMAN: Because now we're saying that you
3 don't have to put the open space abutting the right-of-way but
4 you can, you are allowed to do that. So that kind of takes
5 away that vagueness that, you know, the discretion that they
6 were a little bit concerned with.

7 CHAIRMAN LINGENFELTER: Right.

8 MS. FREEMAN: So I think we made a lot of
9 adjustments based on their input. I think we kind of covered
10 all of their points. The only one we didn't really discuss a
11 lot was the orienting the homes towards, you know, the --
12 16.27, let me go back to that -- to appreciate the topography.
13 So I don't know. I think, you know, the purpose, the intent,
14 I think we understand the intent of what that is and we're not
15 trying to supercede what the County Engineer is doing.

16 CHAIRMAN LINGENFELTER: Right.

17 MS. FREEMAN: I think we would be looking at it in
18 how they laid out the preliminary plan, the way the homes are
19 going to face. And that helps our argument as far as trying
20 to break up that long row of homes, you know, and saying do
21 something a little bit unique and make it work with the lay of
22 the land.

23 CHAIRMAN LINGENFELTER: Right.

24 MR. SCHINDLER: I've always found it difficult to
25 try to come up with a number. This type of development that
26 we're trying to encourage is supposed to be unique, I think,
27 to every piece of land that you're looking at developing. And
28 depending on its merits, you know, what it has, what the
29 property has on it, sometimes you need, like I pointed out at
30 the last meeting, flexibility. I think we always have to take

1 it and look at it, what we're trying to achieve, to maintain
2 as much of the natural environment of the land as we can but
3 then allow it to have some flexibility for the developer to
4 give them the encouragement to develop it but yet we're still
5 achieving the minimum amount of disruption we put in the land
6 that we're starting to, you know, develop.

7 So to try to come up with a figure, I think, is, in
8 my mind anyway, a number, I just can't come up with one
9 because I think each one has to be felt on its merits. Every
10 developer comes in with a piece of land. That's why I
11 personally always want to go out and look at the land when
12 it's coming up. I like to walk the property and see what it
13 is because every piece of property has some merit to it, some
14 beauty, some unique thing about it where a person who wants to
15 buy into living there will see this uniqueness but gives the
16 developer a chance to develop it in such a way, whether the
17 house has to be a little smaller or the house has to be
18 positioned this way to save trees or a mound or a creek or
19 whatever, that can be achievable to allow the developer to
20 make a change to meet that criteria.

21 So to try to put a number always to something like
22 that when it comes to conservation development, I can't come
23 up with a number.

24 CHAIRMAN LINGENFELTER: Ashley, do you have any
25 comments?

26 MS. GARCAR: No.

27 CHAIRMAN LINGENFELTER: No.
28 Hiram, anything?

29 MR. REPERT: None.

30 CHAIRMAN LINGENFELTER: Rich?

1 MR. PETERSON: No.

2 CHAIRMAN LINGENFELTER: No. Yeah, I am okay with
3 the process. I don't really see any reason to change that. I
4 mean, the yield plan, I am not a big fan of the yield plan. I
5 think a sketch plan or something like that would be
6 appropriate. I think the yield plans, I have just seen way
7 too many yield plans come in front of me over the years that
8 are just silly. Okay? I mean, just, they just don't make any
9 -- They are not applicable under any circumstance. It's just
10 a matter of just trying to cram their lots in and try to get
11 to, you know, to whatever the magic number is to get a density
12 bonus and I think it kind of defeats the purpose.

13 So I am not a fan of a yield plan at all and I think
14 we decided to scratch that idea and I think that's a good, I
15 think that's a good move because it just takes, I think it
16 takes the process, just takes some of the silliness out of the
17 process, in my opinion.

18 I don't think I've ever seen a yield plan that came
19 in that was really for real. I mean, I don't think they
20 really put any -- Because, I mean, I think if you are going to
21 put some sort of a plan together, it's got to be realistic.
22 It's got to show what, if you kept the development as it's
23 currently zoned, then I think you have to have a realistic
24 plan, you know, if you are going to do that. And,
25 unfortunately, we just never see that. It just never -- It's
26 just punch out a bunch of lots and wedge them in whenever you
27 can, riparian setbacks, retention ponds, whatever, be damned.

28 So I think that getting rid of the yield plan is a
29 good idea. I think our process is good. I think it's a good
30 idea, you know. And I think now that we've soften, we've kind

1 of taken some of the teeth out of some of these issues that
2 the developers brought up that gave them kind of some ouchies,
3 I think by softening some of this, I think we've helped
4 ourselves on this and maybe, you know, maybe it will make it a
5 little more realistic for them. Some of the changes we made,
6 I think, were pretty meaningful and I think we rose to the
7 occasion and, kind of, took their recommendations to heart and
8 made some changes accordingly. So I think that was a good
9 thing.

10 Anything else, Heather, you want to cover or do you
11 think we're good?

12 MS. FREEMAN: I don't have anything.

13 CHAIRMAN LINGENFELTER: Okay. All right. Well, I
14 think we can put that component to bed for now.

15 Let's move on to our favorite thing, which would be
16 microdistilleries, yes. Heather, do you want to give us a
17 little updating on what we have done there?

18 MS. FREEMAN: Sure, yeah. At our last meeting, the
19 Commission made a final decision on what you were recommending
20 as far as upping the brewing capacity for the microdistillery.
21 So the board determined that we would like to raise that
22 maximum threshold from the 8,000 gallons to 25,000 proof
23 gallons per year. So I went ahead and made that. I think
24 that was the last thing we needed to modify. So what I
25 provided for you tonight is a summary of those proposed text
26 amendments.

27 So we're basically proposing three different
28 amendments. The first amendment would include changes to
29 Section 5.02, the Definitions, modifying the existing
30 definition for "microdistillery" -- or "microbrewery,"

1 "microdistillery" and changes to the term "urban winery,"
2 changing the existing term "urban winery" to "microwinery."
3 We've also included a new definition for "brewery,"
4 "distillery," or "winery."

5 So you can see those tract changes, you know, in the
6 pages that follow. These are all the same ones that we looked
7 at in draft form, and these are still in draft form, but at
8 the last couple meetings.

9 And then the second amendment would have to do with
10 Section 13.35. And I won't read all of that but these are
11 basically the conditions that are applicable to all of the --
12 these uses because they are conditionally permitted. So we,
13 you guys agreed to those changes there.

14 And then the third amendment would be to
15 Section 22.03, which is the Table of Uses in the Commercial
16 and Industrial District. And this included adding the
17 brewery, distillery, winery as a permitted use in the RD-2
18 District, and then also just changing the term from "urban
19 winery" to "microwinery."

20 CHAIRMAN LINGENFELTER: Yeah, I think this was a
21 good body of work.

22 MS. FREEMAN: Yeah.

23 CHAIRMAN LINGENFELTER: I think we have accomplished
24 quite a bit here with this. I am happy with the outcome. I
25 don't -- I think we have kind of covered everything pretty
26 good. We have made some changes where changes were needed and
27 I think the verbiage, you know, that we've made, the changes
28 we made to some of the verbiage, I think, is good. And I
29 think we should probably put this on the agenda, hammer this
30 out.

1 MS. FREEMAN: Yeah. I mean, it's up to you as a
2 board this evening. If you want to make a motion, we can
3 schedule a public hearing and get the -- and initiate the
4 amendments.

5 MR. REPERT: The only question I have is in 127 for
6 "microdistillery."

7 CHAIRMAN LINGENFELTER: Where are we at there,
8 Hiram?

9 MR. REPERT: Page 15 -- or 5.15. I think we should
10 say "the maximum distilling capacity," not "brewing capacity."

11 CHAIRMAN LINGENFELTER: Where are we at?

12 MR. PETERSON: Good point.

13 MR. REPERT: 127.

14 MR. PETERSON: For a distillery, that's good.

15 CHAIRMAN LINGENFELTER: 127.

16 MR. REPERT: For microdistillery.

17 CHAIRMAN LINGENFELTER: Ah, yes, okay.

18 MR. PETERSON: I agree.

19 MR. REPERT: "The maximum distilling capacity shall
20 not exceed 25,000 proof gallons."

21 CHAIRMAN LINGENFELTER: Gotcha, right, yep.

22 MR. REPERT: And not "brewing."

23 CHAIRMAN LINGENFELTER: Yep.

24 MR. REPERT: Picky but --

25 CHAIRMAN LINGENFELTER: No, no.

26 MR. PETERSON: No, that's okay.

27 CHAIRMAN LINGENFELTER: I think that's a valid
28 point. Words matter. So we are --

29 MR. REPERT: Other than that, I think we did,
30 everybody did a good job on this.

1 CHAIRMAN LINGENFELTER: Yeah. So we are just going
2 to make, the recommendation there is to change the word
3 "brewing" to "distilling." And I think that's a good catch
4 there, Hiram, good catch.

5 MR. REPPERT: Thank you.

6 CHAIRMAN LINGENFELTER: I like that. I didn't even
7 notice that. That's why you sit up here, Hiram. We need you
8 for these kind of things.

9 Okay. So we'll make that little amendment there.
10 Otherwise, I guess I would entertain a motion to bring this to
11 public hearing.

12 MR. PETERSON: Mr. Chairman, I make a motion we
13 schedule the three amendments as written with the modification
14 for public hearing.

15 CHAIRMAN LINGENFELTER: I have a motion made.

16 MR. REPPERT: I'll second it.

17 CHAIRMAN LINGENFELTER: And seconded. All those in
18 favor say aye. Opposed?

19 (Five aye votes, no nay votes.)

20 CHAIRMAN LINGENFELTER: Let the record reflect it
21 was all ayes, none opposed, no abstentions. So we will be
22 moving this to public hearing, Heather.

23 MS. FREEMAN: Right. And, for the record, that
24 date, you know, I don't know if we need to make a motion to
25 reflect the date of that hearing or we can just schedule it
26 for our next Zoning Commission meeting, which is Tuesday,
27 June 1st.

28 CHAIRMAN LINGENFELTER: Does that give us the
29 appropriate notifications and everything time frame or are we
30 good with that?

1 MS. FREEMAN: Yes.

2 CHAIRMAN LINGENFELTER: So that would be the
3 June 1st. June 1st, correct?

4 MR. REPERT: Yeah.

5 CHAIRMAN LINGENFELTER: Would be the next zoning
6 meeting.

7 MS. FREEMAN: I am pulling up the -- Wait a second.

8 CHAIRMAN LINGENFELTER: Cuts it close?

9 MS. FREEMAN: No. I am sorry. I am just scrolling
10 on the -- Hold on.

11 CHAIRMAN LINGENFELTER: We okay with that?

12 MS. FREEMAN: Yes.

13 CHAIRMAN LINGENFELTER: Okay, good, all right. So
14 we will have that public hearing on June 1st for the
15 microdistillery amendments that we have talked about,
16 microbrewery and microdistillery. We will get that knocked
17 out, hopefully.

18 MS. FREEMAN: At 7:00 p.m.

19 CHAIRMAN LINGENFELTER: Pardon me?

20 MS. FREEMAN: At 7:00 p.m., at our normal time.

21 CHAIRMAN LINGENFELTER: Yes, yes.

22 Okay. And, finally, we want to talk about outside
23 dining. We had some comments, some things were brought up to
24 Rich Iafelice with regards to outside dining. Heather was
25 good enough to pull out a number of issues that were directly
26 related to outside dining with some of the variances and some
27 of the requests that were made with businesses that are
28 currently in Concord Township over the last several years. So
29 it's pretty apparent. You know, Pizza Roto, we had some stuff
30 here from Beerhead.

1 There was an email that was sent to Rich which has
2 been entered into the record from Sunny Street Cafe, right,
3 Tony Milam or Milam. Milam?

4 MR. IAFELICE: Milam.

5 CHAIRMAN LINGENFELTER: Milam. We're looking at
6 Section 13.33(E), limiting outside seating to 25 percent of
7 inside seating doesn't work mainly because of demands shift
8 heavily from inside to outside in nice weather season. When
9 outside dining is in season, restaurant patrons enjoy being
10 outside and it's a boom for restaurants with nice outdoor
11 dining spaces, which is something that all communities want to
12 support. Especially in today's COVID infected world, many
13 patrons prefer the safety of being outside. And then it has
14 forced many to seek a variance and an amendment to conditional
15 use permit. Variances not only delay projects but they are
16 also expensive, \$1,200, to seek.

17 So let's talk about 13.33(E), specifically, "Outside
18 seating capacity shall not exceed 25 percent of the
19 restaurant's seating capacity indoors."

20 MR. REPERT: Well, Mr. Chairman, I read through
21 this more than once.

22 CHAIRMAN LINGENFELTER: Okay.

23 MR. REPERT: And I think this is the perfect
24 example of why we have a BZA and why it should be brought up
25 to the Zoning Commission. If there are enough variances that
26 are going on out in the township and, yeah, it's a burden to
27 them because of the expense and everything like that to do
28 that, and we have three or four or five or six or whatever, I
29 think we, as a zoning board, should or are obligated to take a
30 look at changing the requirements. And I think this is a

1 perfect example of that.

2 Like you said, we've got a number of examples here,
3 one, two, three, four that have been approved by the BZA and
4 they're from 56 to 75 percent of the outdoor seating, far
5 exceeding the 25 percent. And I think we ought to look at it
6 and say, let's see what we can do to change the percentage. I
7 don't think it's applicable anymore.

8 MR. PETERSON: Especially when you consider the
9 pandemic situation and outdoor dining.

10 MR. REPERT: Correct.

11 MR. PETERSON: I didn't see on here Redhawk but I
12 swear they have more outdoor seating than they have indoor
13 seating and it's a good thing. I mean, that's a great --

14 MR. REPERT: They might, yeah.

15 CHAIRMAN LINGENFELTER: That could well be.

16 MR. PETERSON: But I don't know what the 25 percent
17 logic was at the time but I don't think it applies anymore.

18 MR. REPERT: I agree.

19 CHAIRMAN LINGENFELTER: I don't know. I am trying
20 to recall what, what the impetus was behind the 25 percent
21 number. I don't, specifically. Because you've got situations
22 where like if you look at, if you look at -- We'll just pick
23 on some local businesses. Enjoy your free pitch. But if we
24 look at Spats, for instance, okay, they have nothing behind
25 available. It's a parking lot behind their facility. They
26 have nothing available behind to where they could do any
27 expansion, so they expanded out front. Okay, so they put an
28 awning and they kind of fenced it in and it's right up against
29 the parking lot and there is a section there that enables
30 outdoor dining. Okay?

1 Now, ironically --

2 MR. REPPERT: Right next door.

3 CHAIRMAN LINGENFELTER: Right next door is the
4 Ridgewood Tavern, okay, and they've got room in the back.
5 They have no room in the front for any sort of outdoor dining
6 but they happen to have some room in the back and they've got
7 outdoor dining in the back. It's a little more substantial
8 than what Spats, which is almost literally right next door. I
9 mean, you can pretty much decide right or left. You walk into
10 the front door of either establishment -- they're right next
11 door to each other -- and you've got a completely different
12 dynamic. So, which is kind of weird but --

13 And then you have Redhawk. Like you said, I think
14 they have probably more seating capacity outside with
15 everything that they have in the back there than they have in
16 the restaurant itself, which has been, you know -- And I know
17 when you go there on a nice day, the outdoor dining area is
18 packed.

19 MR. REPPERT: Packed.

20 MR. PETERSON: Yeah.

21 CHAIRMAN LINGENFELTER: You can walk inside and you
22 won't, you probably won't even see anybody sitting indoors on
23 a nice day where the outdoor, the patio in the back is just
24 absolutely jammed.

25 So, yeah, I think this is something we should
26 seriously look at. But here is -- I do take exception that,
27 you know, based on COVID, because I feel that COVID is a
28 temporary issue. It's going to go away at some point. So I
29 don't want to make a knee-jerk reaction on something that I
30 think is a temporary issue.

1 MR. PETERSON: But I think it's changing the
2 culture. It's getting more people to enjoy eating outdoors,
3 and I think that trend was there anyway.

4 CHAIRMAN LINGENFELTER: Right.

5 MR. PETERSON: It's popular in Europe but it's
6 expanding all over. And when we have good weather, most
7 people, given the right atmosphere, would rather sit outside
8 than inside.

9 CHAIRMAN LINGENFELTER: Right.

10 MR. REPERT: And whenever my wife and I and our
11 friends go out, we always ask for outdoor, always.

12 CHAIRMAN LINGENFELTER: Right.

13 MR. REPERT: Redhawk and Ridgewood and wherever
14 else we go.

15 MR. PETERSON: Panini's.

16 CHAIRMAN LINGENFELTER: Right.

17 MR. REPERT: We always ask for outside.

18 CHAIRMAN LINGENFELTER: Right. And not everybody
19 has the advantage to be able to do that. So I think that, you
20 know, we shouldn't -- I think that inhibiting or limiting the
21 capacity to 25 percent is not a good idea. So then the
22 question becomes --

23 MR. REPERT: What do we do?

24 CHAIRMAN LINGENFELTER: Do we change it to another
25 number or do we just eliminate? You know, then I get -- To
26 me, if you just strike it, then we kind of leave our -- there
27 is a possibility of abuse. But I think taking away the option
28 of having to be in front of Board of Zoning Appeals or the BZA
29 and going through the expense when they're being granted, you
30 know, I think we should try to assuage that.

1 Frank, any comments, any thoughts?

2 MR. SCHINDLER: I was just thinking, rather than
3 putting a percentage on seating capacity, why don't we do
4 something like we have on storage sheds for our home, storage
5 shed can't be any more percentage of a home, for example. It
6 can be maybe, in this case, so much percentage of the square
7 area of the establishment. So that you can expand it out
8 then. If they have room, they can expand it out a percentage
9 of the building area that the restaurant has. That means they
10 can add on as much outdoor if they have the space and can do
11 it. Rather than putting on the seating capacity, put it on a
12 percentage of the capacity area of the total size of the
13 building itself.

14 CHAIRMAN LINGENFELTER: Well, I find it interesting
15 because, like, if you look at what's happened, everything on
16 the top portion of this was pre-COVID. Okay? So the only one
17 that really shows a direct impact, you know, COVID related is
18 Sunny Street because their capacity went from 96 to 65 and I
19 am going to assume that was because of the COVID restrictions.
20 Does anybody know for sure?

21 Heather?

22 MS. FREEMAN: Yes, he was trying to reduce his
23 official occupancy with the Lake County Building Department
24 citing having to spread out due to COVID.

25 CHAIRMAN LINGENFELTER: Right. So their percentage
26 jumped because of COVID but, you know, but it really didn't
27 change. The percentage changed but the actual seating
28 capacity --

29 MR. REPERT: The seating did not change.

30 CHAIRMAN LINGENFELTER: -- remained the same. So I

1 am, you know, do you want to take like an average of all the
2 averages, percentages and put a number on it or do you want to
3 -- What's the board's thought on a number or do you want to
4 even put a number on it?

5 MR. PETERSON: What's the purpose of the number?
6 What's the purpose of the restriction?

7 CHAIRMAN LINGENFELTER: I don't know. I can't
8 honestly answer that. I don't recall.

9 MR. PETERSON: I mean, theoretically --

10 CHAIRMAN LINGENFELTER: I am trying to recall when
11 we put this together, you know, when it was done, what the
12 thought process was.

13 MR. PETERSON: Theoretically, you could have a
14 restaurant with no indoor seating and all outdoor seating,
15 theoretically, if you had mushroom heaters and things like
16 that, if somebody got creative.

17 CHAIRMAN LINGENFELTER: That's right.

18 Frank, do you want to make any comments or give some
19 thoughts as to putting a number on that or what do you feel?

20 MR. SCHINDLER: I think it's hard because it always
21 depends, I guess, on the restaurant itself, you know, the
22 location, I would think, if they have an expansion capability
23 because they have more property and they can put another, God,
24 who knows, another 100 or 200 seats outside. Especially
25 nowadays a lot of them, they carry it to a point where they
26 basically keep outside until the snow flies. Then they put
27 curtains up, you know, and put an area where you can actually
28 still sit outside in the fall where you wear a little jacket
29 but you can still eat out there because it's heated, to some
30 degree, but yet it's opened up to where you can still enjoy

1 the scenery around there.

2 Of course, myself, I wouldn't want to be looking
3 into a parking lot but if you look out the back in a nice area
4 that has a nice row of trees, nice vegetation, if you can put
5 more seats out there comfortably -- I know, my wife and I
6 enjoy eating out at the Welshfield Inn. And in the
7 summertime, they have a patio out there that has so much
8 seating but they also have a big tent that they have out there
9 covered, and a lot of time, that's full of people. They want
10 to sit outside rather than the restaurant. That's nice. They
11 have their little heaters in the fall and you can sit out
12 there and enjoy the atmosphere or even looking at the trees
13 already starting to change colors and yet it's nice atmosphere
14 for eating and enjoying comfortably and, you know, with a
15 glass of wine and a good meal.

16 MR. PETERSON: Given all the surrounding paragraphs,
17 if you read those, there is enough restrictions, why do we
18 even need E? What if we struck that out of there?

19 MR. REPERT: I second that motion.

20 MR. PETERSON: Really, I mean, what would it hurt?
21 It doesn't appear to interfere with the right-of-way. It
22 talks about all the compliance with parking areas and
23 pedestrian access and everything. So what if we just
24 eliminated E?

25 CHAIRMAN LINGENFELTER: I am okay with that.

26 MR. PETERSON: Is there a problem with that,
27 Heather?

28 CHAIRMAN LINGENFELTER: I think it's a good idea.

29 MS. FREEMAN: No. I just want to just remind you it
30 is a conditional use, so they're going to be in front of the

1 BZA to get their approval for the use. So they will be kind
2 of looking at, okay, all the aspects of the patio, you know.
3 That would cover the size of it in relationship to the parking
4 and everything. So, you know, I agree with Mr. Peterson
5 saying we don't even need it.

6 I did provide you some additional research, too. I
7 reached out to a few communities in the area --

8 CHAIRMAN LINGENFELTER: Right.

9 MS. FREEMAN: -- to see how they regulated it.

10 CHAIRMAN LINGENFELTER: Right.

11 MS. FREEMAN: Some of them had a similar
12 requirement, you know. I talked to the Painesville Township
13 Zoning Inspector. They really don't have any restaurants in
14 Painesville Township that have outdoor seating, so the few
15 that they do, it wasn't an issue, but they weren't growing
16 like Concord was either and getting new dining locations.
17 Leroy doesn't have a limit, neither does Madison. Willoughby
18 had --

19 CHAIRMAN LINGENFELTER: Painesville Township is 25
20 percent.

21 MS. FREEMAN: Yeah. And from what I understand, a
22 lot of the Lake County townships kind of do the same thing.
23 They look at everybody's zoning, so that might have come from
24 us.

25 MR. PETERSON: Let's be a leader and eliminate it.

26 MS. FREEMAN: Yeah. So this Olmsted Township, which
27 is in Cuyahoga County, they have outdoor dining. They have
28 some specific regulations for their outdoor dining and it's
29 similar to ours except it doesn't have that limit on the
30 percentage but all the other items are very similar.

1 And then another township down by Cincinnati, Ohio,
2 they recently just removed those in 2018 because they wanted
3 to try to encourage outside dining. So they removed that
4 percent, you know, cap on the outdoor dining percentage as a
5 way to try to promote it. And that happened like, well --

6 MR. SCHINDLER: Does the percentage have anything to
7 do with maybe the Health Department maybe when you're serving
8 food?

9 MS. FREEMAN: Well, and that's a good question. But
10 I would say keep in mind that the Health Department is still
11 going to have authority over the restaurant portion of it and
12 food service and the fire code and the building code are still
13 going to dictate occupancy as far as how many people are
14 allowed to be on the patio and how many allowed to be in the
15 restaurant.

16 CHAIRMAN LINGENFELTER: Right.

17 MS. FREEMAN: So they're going to require certain
18 distances between the tables and walkways.

19 CHAIRMAN LINGENFELTER: Right.

20 MS. FREEMAN: So there are some other entities that
21 will have control over density.

22 MR. SCHINDLER: Okay. Well, for that reason, it
23 makes perfect sense. Why put a number in there? Why should
24 we put a number in there? Because the concerns we would have
25 anyway, as human beings, want to make sure it's a safe
26 environment for people to enjoy a meal safely but not worrying
27 about health issues. Right now, health issues are being
28 dictated, unfortunately, because of COVID, so -- and the state
29 is regulating that right now. So that would fall under a
30 realm that would be taken care of, heaven forbid, we get into

1 more pandemics or whatever.

2 CHAIRMAN LINGENFELTER: So do we have to do a public
3 hearing for that change? What would be the protocol?

4 Counselor, can you advise?

5 MS. BELL: You know what? My instinct says yes but
6 I am not a hundred percent sure. But can I get back to you?

7 CHAIRMAN LINGENFELTER: Yes.

8 MS. FREEMAN: Yeah, we would have to because it's
9 still another zoning text amendment. So we don't have to rush
10 into setting a hearing for it tonight.

11 CHAIRMAN LINGENFELTER: Right.

12 MS. FREEMAN: We should --

13 CHAIRMAN LINGENFELTER: Well, I would, I mean, I
14 would certainly, I am in agreement with Rich on the just, I'd
15 just remove E, 13.33(E). Just remove it, strike it.

16 MR. PETERSON: Do we need a motion?

17 CHAIRMAN LINGENFELTER: Yeah, we will get to that
18 point.

19 MR. PETERSON: Okay.

20 CHAIRMAN LINGENFELTER: Is there anybody, Ashley, do
21 you have any comments on that?

22 MS. GARCAR: I do.

23 CHAIRMAN LINGENFELTER: Okay. Please indulge us.

24 MS. GARCAR: I agree with the striking out. Why do
25 we have the number in the first place when there are so many
26 other people regulating, the Health Department, Fire
27 Department, BZA, and if you expand.

28 But as for the legalities of it, of a public hearing
29 or not, is there a loophole, the fact that we are in a
30 pandemic and we are right about ready to start summer? Is

1 there a loophole to help move something, go faster in a
2 temporary aspect included with the pandemic? If we do have to
3 have a public hearing, is there a way to have a temporary
4 strike out where we can have more discussion of what the
5 permanent solution is but still give what is needed with the
6 pandemic?

7 MS. BELL: Even if there was, I wouldn't advise it.
8 I just --

9 MS. GARCAR: Okay.

10 MS. BELL: I think we should follow the rules.

11 MS. GARCAR: Okay.

12 CHAIRMAN LINGENFELTER: It's a good point. I think
13 it's a good point but I don't know that that's practical.

14 MS. GARCAR: I like rules but it is summer, so
15 opening up a little.

16 CHAIRMAN LINGENFELTER: Hiram, any comments?

17 MR. REPPERT: I am all for deleting 16 -- or
18 13.33(E).

19 CHAIRMAN LINGENFELTER: Okay.

20 Rich, you were -- It was your idea, so I doubt that
21 you would be opposed.

22 MR. PETERSON: I am ready to make a motion when you
23 give me the okay.

24 CHAIRMAN LINGENFELTER: Right, okay.

25 Rich, this was brought to your attention initially.

26 MR. IAFELICE: Yes.

27 CHAIRMAN LINGENFELTER: Would you like to weigh in
28 on this?

29 MR. IAFELICE: If I may, Mr. Chairman.

30 CHAIRMAN LINGENFELTER: Please.

1 MR. IAFELICE: So I believe the 25 percent, the
2 genesis of that may not have considered where the districts
3 that this is located in. All I can presume, it's light and
4 noise disturbance, presumably, trying to limit the outdoor,
5 depending on where it's located.

6 But I would agree with the motion that's on the
7 floor and also agree with Heather's point. Building code
8 really will specify ingress/egress, the occupancy levels, as
9 well as, in the aggregate, the inside and outside parking
10 spaces to suit that, in the aggregate, will also affect the
11 development or unit or space. So, yeah, in my mind, that
12 motion makes sense. Thanks.

13 CHAIRMAN LINGENFELTER: Okay, great, super.

14 Well, I would like to thank Sunny Street for
15 bringing this to our attention. I think it was a valid
16 concern, especially in the challenging times that we are in
17 now. And we know that restaurateurs and eateries have been
18 unduly stressed through this whole process and many of them,
19 you know, quite honestly, probably won't survive this. But
20 anything we can do to help relieve that is, I think, is a good
21 idea. So I appreciate the folks with Sunny Street bringing
22 this to our attention, and I appreciate Rich bringing this to
23 the attention of the board and getting it in front of us. I
24 think it's a good thing.

25 MR. REPERT: Mr. Chairman, if I can.

26 CHAIRMAN LINGENFELTER: Yes, sir.

27 MR. REPERT: Did I read in here someplace that they
28 are only changing an awning at Sunny Street? Didn't I read
29 that in here? I mean, am I dreaming things?

30 MR. IAFELICE: Correct.

1 MR. REPERT: And we're charging them how much? Is
2 that a zoning problem, changing an awning?

3 MS. FREEMAN: No. The project is more than just
4 changing the awning.

5 MR. REPERT: Well, then they didn't explain it
6 correctly because the way that I read it was -- and I can't
7 find it now -- that they're changing an awning and it's 1,500
8 bucks or something like that. I think that's ridiculous but
9 that's beside the point, I guess. Okay. No comment.

10 CHAIRMAN LINGENFELTER: Do you feel better now?

11 MR. REPERT: Well, I mean, I just thought that was
12 a little bit unreasonable.

13 CHAIRMAN LINGENFELTER: Sure.

14 MR. REPERT: If I change the color of my awning --
15 Now, that may not be it, okay, so it's a little bit more than
16 what they explained.

17 CHAIRMAN LINGENFELTER: Right.

18 Okay. With that said, and it was, I would entertain
19 a motion from the board to strike 13.33, 13.33(E) from the
20 outside dining definition or outline.

21 MR. PETERSON: Mr. Chairman, so moved.

22 CHAIRMAN LINGENFELTER: Okay. We have a motion
23 made.

24 MR. REPERT: And I will second it.

25 CHAIRMAN LINGENFELTER: We have a motion seconded.
26 All those in favor say aye. Opposed?

27 (Five aye votes, no nay votes.)

28 CHAIRMAN LINGENFELTER: None opposed. Let the
29 record reflect that it was all ayes, no nays, no abstentions.

30 Okay. So we can work on that, Heather, to work on

1 an amendment, text amendment.

2 MS. FREEMAN: Sure.

3 CHAIRMAN LINGENFELTER: There's no rush on that but
4 I think, obviously, I mean, we've got some other text
5 amendments we're dealing with. It wouldn't be a bad idea to
6 throw it in there.

7 MS. FREEMAN: Okay. Yeah, I can get that ready for
8 you for next month.

9 CHAIRMAN LINGENFELTER: It is not a huge undertaking
10 here.

11 MS. FREEMAN: We don't really have anyone in the
12 hopper right now as far as proposing any kind of new outdoor
13 dining. So --

14 CHAIRMAN LINGENFELTER: Right, okay. All right. So
15 that concludes our work session issues for this evening. Good
16 work, fantastic.

17 I will, we will move on to Item Number 2 under
18 New Business, which is the approval of the minutes of the
19 April 6th Zoning Commission meeting. I will entertain a
20 motion.

21 MR. REPERT: Mr. Chairman, I make a motion that we
22 table that because I have not, I have not had a chance to
23 review the minutes, meeting minutes.

24 MR. PETERSON: I second that motion.

25 CHAIRMAN LINGENFELTER: All in favor say aye.
26 Opposed?

27 (Five aye votes, no nay votes.)

28 CHAIRMAN LINGENFELTER: None opposed. Let the
29 record reflect all ayes, no nays, no abstentions. So we are
30 going to table the minutes until we have an opportunity to

1 read those.

2 Item Number 3 on the agenda is the correspondence
3 report by the Zoning Commission members. Frank, anything?

4 MR. SCHINDLER: None, Mr. Chairman, for me.

5 CHAIRMAN LINGENFELTER: Ashley?

6 MS. GARCAR: None.

7 CHAIRMAN LINGENFELTER: Hiram?

8 MR. REPPERT: No correspondence, Mr. Chairman.

9 CHAIRMAN LINGENFELTER: Rich?

10 MR. PETERSON: Nothing, Mr. Chairman.

11 CHAIRMAN LINGENFELTER: Rich in the back?

12 MR. IAFELICE: Nothing.

13 CHAIRMAN LINGENFELTER: Nothing. Nothing from me
14 either. So there was no correspondence.

15 Audience Participation is the fourth item on the
16 agenda under New Business. Do we have anybody on the phone or
17 anybody here present this evening that would like to take a
18 moment and address the board?

19 MS. FREEMAN: For the record, there is no one else
20 on the phone.

21 CHAIRMAN LINGENFELTER: Okay. So there is no -- The
22 people that were there are gone?

23 MS. FREEMAN: Correct.

24 CHAIRMAN LINGENFELTER: Okay, all right. Anybody
25 else? Anybody have an interest in saying anything?

26 (No response.)

27 Okay, all right. The next meeting of the Zoning
28 Commission will be June 1st. We will have a couple of items
29 to deal with in a public hearing.

30 MR. REPPERT: Right.

1 CHAIRMAN LINGENFELTER: And any other, any other
2 things anybody would like to see as far as put on the agenda
3 items?

4 MR. SCHINDLER: Nothing.

5 CHAIRMAN LINGENFELTER: We're good?

6 MR. REPERT: We're good.

7 CHAIRMAN LINGENFELTER: Okay. We'll adjourn the
8 meeting. Thank you, everybody. Good work.

9 (Whereupon, the meeting was adjourned at 9:01 p.m.)

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