

CONCORD TOWNSHIP ZONING COMMISSION
LAKE COUNTY, OHIO
REGULAR MEETING

Meeting held via YouTube Live Streaming

Concord Town Hall
7229 Ravenna Road
Concord, Ohio 44077

February 1, 2022
7:00 p.m.

TRANSCRIPT OF PROCEEDINGS

Zoning Commission members present:

Andy Lingenfelter, Chairman
Rich Iafelice, Vice Chairman
Frank Schindler, Member
Hiram Reppert, Member
Rich Peterson, Member

Also Present:

Heather Freeman, Planning & Zoning Director/Zoning
Inspector
Marty Pitkin, Assistant Zoning Inspector

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

1 7:00 p.m.

2 CHAIRMAN LINGENFELTER: Good evening. I would like
3 to call this Concord Township Zoning Commission meeting,
4 Tuesday, February 1st, to order. We have a relatively robust
5 agenda today.

6 Under New Business, Number 1 on the agenda is to set
7 a public for Zoning Amendment Application 2022-1 by Concord
8 Preserve LLC requesting a Zoning Resolution Map amendment from
9 the current zoning district of Town Hall Neighborhood to R-1
10 Residential District for the following properties owned by
11 Concord Preserve LLC located on Concord-Hambden Road, current
12 permanent parcel number 08-A-014-0-00-076-0,
13 08-A-014-0-00-077-0, parcel number 08-A-014-0-00-078-0, parcel
14 08-A-014-0-00-079-0, parcel 08-A-014-0-00-080-0, and the final
15 parcel is 08-A-014-0-00-081-0. So that being said --

16 MR. PETERSON: Good job.

17 CHAIRMAN LINGENFELTER: -- we would like to set a
18 public hearing for that zoning amendment application. How
19 does our calendar look, Heather?

20 MS. FREEMAN: Mr. Chairman, I would recommend that
21 you set this for your March 1st regular Zoning Commission
22 meeting at 7:00 p.m. That would be within the time frame for
23 the ORC as far as --

24 CHAIRMAN LINGENFELTER: That would be, you're
25 thinking we would do that March?

26 MS. FREEMAN: Yes, on March 1, 2022.

27 CHAIRMAN LINGENFELTER: Okay. So that would be
28 March, that's also the 1st, too, I guess, huh? Wow, two
29 months in a row the zoning meeting falls on the 1st of the
30 month, kind of bizarre. Okay. So you think we can -- that

1 will give us the appropriate time?

2 MS. FREEMAN: Yes.

3 CHAIRMAN LINGENFELTER: Even with the short month of
4 February?

5 MS. FREEMAN: Yes. We have to have a hearing within
6 20 to 40 days of receipt of their application. So this will
7 get us in compliance with that.

8 CHAIRMAN LINGENFELTER: That will keep us in
9 compliance, okay.

10 MS. FREEMAN: And allow us to give the proper
11 notification to the adjacent property owners. Since they are
12 proposing to rezone less than ten properties, we will be
13 directly notifying any properties that abut these properties
14 and that are across the street, and then also we will put a
15 legal advertisement in the newspaper as well.

16 CHAIRMAN LINGENFELTER: Okay, very good.

17 All right. So I would take a motion in the
18 affirmative and we will target March, our next regular
19 scheduled meeting for March 1st, please.

20 MR. IAFELICE: Mr. Chairman, is there any discussion
21 on this?

22 MS. FREEMAN: It should be reserved for the public
23 hearing.

24 CHAIRMAN LINGENFELTER: Yeah.

25 MR. IAFELICE: So procedure, just a procedural
26 question then.

27 MS. FREEMAN: Okay.

28 MR. IAFELICE: Because I am not familiar. I tried
29 to find this in our -- It comes before us just to set a public
30 hearing. That's all we're doing?

1 MS. FREEMAN: Yes. And then we will have the public
2 hearing on March 1st.

3 CHAIRMAN LINGENFELTER: Right.

4 MS. FREEMAN: Where the applicant will come up,
5 discuss their idea. You will also, at that hearing, you will
6 have a recommendation from the Lake County Planning Commission
7 as to whether or not they feel like the township should rezone
8 the properties, so you can consider that. There will be ample
9 time for testimony for any public for or against the rezone
10 and then a lot of questions. And then, at that point, if you
11 have discussion, that would be the appropriate time.

12 MR. IAFELICE: Thank you.

13 CHAIRMAN LINGENFELTER: Right.

14 MR. REPERT: Will we get any package in the mail
15 beforehand?

16 MS. FREEMAN: Yes, yes, I will mail you everything
17 out in advance and include some background information, more
18 than likely, as well.

19 MR. IAFELICE: Okay. So reserve comment.

20 CHAIRMAN LINGENFELTER: Yes.

21 MR. IAFELICE: Thank you.

22 MR. REPERT: Mr. Chairman.

23 CHAIRMAN LINGENFELTER: Yes.

24 MR. REPERT: I will make a motion that the public
25 hearing for Zoning Amendment Application 2022-1 be set for
26 March 1, 2022.

27 CHAIRMAN LINGENFELTER: I have a motion made.

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

29 CHAIRMAN LINGENFELTER: Seconded by Mr. Peterson.

30 All those in favor say aye. Opposed? None opposed. Any

1 abstentions?

2 (Five aye votes, no nay votes.)

3 CHAIRMAN LINGENFELTER: Let the record reflect that
4 there were five ayes, no nays, no abstentions to set the
5 public hearing for Zoning Amendment Application Number 2022-1
6 for March 1st. Okay? So that is on the agenda.

7 Item Number 2 on the agenda for this evening is a
8 work session for the following zoning text amendments:

9 Amendment Number 1 is to amend Section 16.24,
10 Permitted Density and Open Space Requirements to add new
11 Section F Environmental Restoration Plan.

12 Amendment Number 2 would be to amend Section
13 16.4(C)(e) to change landscape plan requirement to restoration
14 plan.

15 And Amendment Number 3 would be to amend Section
16 6.02 Prohibited Uses to allow -- I am sorry -- to add new
17 Section J Medical Marijuana Retail Dispensaries.

18 So we have three amendments in front of us today to
19 discuss. I guess what we can do is we can tackle them one at
20 a time here. Anything you would like to provide as far as
21 input on Amendment Number 1, Heather?

22 MS. FREEMAN: Yes, Mr. Chairman, thank you. And
23 just a quick correction on Amendment Number 2, I think you
24 misstated. It's actually Section 16.24(C)(e).

25 CHAIRMAN LINGENFELTER: What I did say?

26 MR. IAFELICE: I think you forgot the 2.

27 CHAIRMAN LINGENFELTER: Oh, did I?

28 MS. FREEMAN: Yeah.

29 CHAIRMAN LINGENFELTER: I apologize. I stand
30 corrected.

1 MS. FREEMAN: In case anyone's at home listening.

2 CHAIRMAN LINGENFELTER: Read back the record. No, I
3 am just kidding.

4 MS. FREEMAN: So Amendment Number 1, this was the
5 same language we looked at and reviewed at our last work
6 session in January and, at that point, the Board felt
7 comfortable with this draft, this language. And this is the
8 requirement, a new requirement requiring an environmental
9 restoration plan if there is open space that was previously
10 disturbed prior to being requested to be rezoned for an RCD.

11 And then Amendment Number 2 was a follow-up
12 amendment for a little bit more cleanup, and you can see that
13 on the second page here. And we had some other language in
14 here that talked about requiring a landscape plan if you are
15 going to disturb the open space; however, we are going to
16 button this up and state that, if you are going to disturb any
17 of the open space, you shall provide this restoration plan and
18 then it points to this other new section that we're proposing,
19 the 16.24.

20 So there could be two instances where you need to
21 provide the environmental restoration plan, one where it's
22 already been disturbed, how are you going to repair it; and,
23 two, if you think you are going to have to disturb some of the
24 open space, you have to let the township know up front what
25 it's going to be and how you're going to restore it so you can
26 take that into consideration as part of the rezone and the
27 preliminary plan approval.

28 And then the third amendment, which is completely
29 unrelated to this but would be easier just to have one public
30 hearing tackling all three since we're going to vote on these

1 all individually anyway, was the discussion we had previously
2 in regards to medical marijuana retail dispensaries.

3 CHAIRMAN LINGENFELTER: Right.

4 MS. FREEMAN: And, at this point, it was my
5 understanding that the Board wanted to prohibit them for now
6 and, you know, if it changed, that can be revisited.

7 CHAIRMAN LINGENFELTER: Yeah. We felt, at this
8 point in time, the best way to approach that would be to just
9 prohibit it due to the, kind of, the up-in-the-air nature of
10 whether or not recreational use in Ohio is on its way. We
11 figured it would be silly to tackle the dispensary issue if
12 it's going to become recreational in the near future. So we
13 will just prohibit it and then we can deal with it at some
14 point in time.

15 I think we can bring it back if, if the recreational
16 component doesn't pass, then we can talk about whether or not
17 we want to reconsider that. And if it does pass, then we will
18 definitely have to reconsider because we won't be able to
19 prohibit because it will be, basically, to the Ohio Revised
20 Code, be allowed. So we would have to make some sort of, I
21 would assume we would have to make some sort of accommodation
22 for that.

23 MS. FREEMAN: Yeah. We will have to wait and see
24 what the state comes out and says the townships are allowed to
25 do.

26 CHAIRMAN LINGENFELTER: Right. So it's kind of, I
27 think, there is no reason put the cart in front horse on this
28 one. Just kind of wait and see what happens. I think the
29 prohibited tact right now is probably the most prudent way to
30 go.

1 MR. REPERT: Well, if you look at it, Madison
2 Township just added medical marijuana retail dispensaries to
3 their zoning.

4 MS. FREEMAN: They added it?

5 MR. REPERT: Yeah.

6 MS. FREEMAN: Madison Township?

7 MR. REPERT: Yeah.

8 MS. FREEMAN: Okay.

9 MR. REPERT: I was at the Planning Commission and
10 we voted on that. They had -- In fact, you can probably get
11 that stuff from Dave.

12 MS. FREEMAN: Okay. That was something that was --

13 MR. REPERT: Whenever we get into that point, we
14 might want follow something that Madison did.

15 CHAIRMAN LINGENFELTER: I think it's a good point of
16 reference, our neighbor.

17 MR. REPERT: Yeah, yeah.

18 CHAIRMAN LINGENFELTER: Might not be a bad idea.

19 MR. REPERT: Maybe the first dispensary will go up
20 there and we'll see what happens.

21 CHAIRMAN LINGENFELTER: Okay. At this point in
22 time, you know, I mean, I think we pretty much covered the
23 environmental restoration plan and the landscaping plan, two
24 amendments that we wanted to do. I think we pretty much went
25 over those pretty thoroughly.

26 MR. REPERT: Yes, we did.

27 MR. IAFELICE: Absolutely.

28 CHAIRMAN LINGENFELTER: Came up with something at
29 this point in time I think we were all comfortable with,
30 right?

1 MR. IAFELICE: Yes.

2 CHAIRMAN LINGENFELTER: So I don't think there is
3 any reason we should delay moving forward with a public
4 hearing for that as well. Yes? No?

5 MR. IAFELICE: I agree. I agree, Mr. Chairman.

6 MR. REPPERT: Yeah, I think we're ready.

7 CHAIRMAN LINGENFELTER: Rich, you were kind of out
8 for a little while. So is there anything you want to add at
9 this point?

10 MR. PETERSON: I watched the video of the whole
11 meeting and followed along, so I am good with it.

12 CHAIRMAN LINGENFELTER: Okay, good. All right.
13 Well, we didn't want you to feel like you were being excluded
14 from your opinion on this because, obviously, you were
15 involved at the early part and then we kind of continued to
16 move through it.

17 So would it be, would it be appropriate at this
18 point in time to go ahead and schedule a public hearing or do
19 you think it would be, it would be, I think -- I don't know
20 that there is really much left to discuss on the environmental
21 restoration plan. I mean, we got that pretty well hammered
22 out, right?

23 MR. IAFELICE: Yes.

24 MR. REPPERT: Do we ask for, do we approve each
25 amendment separately?

26 CHAIRMAN LINGENFELTER: Yes.

27 MR. REPPERT: Right?

28 CHAIRMAN LINGENFELTER: There would be a --

29 MR. REPPERT: And then do we put --

30 CHAIRMAN LINGENFELTER: Well, there would be a

1 public, I think what we would do is probably have a public
2 hearing and each one would be its own hearing, you know. We
3 would discuss each item, vote on it, and then go to the next
4 amendment, have a hearing, vote on it, go to the third one,
5 have a hearing, vote on it, and then we would --

6 MR. REPERT: Do we approve the amendment now here?

7 MS. FREEMAN: No.

8 CHAIRMAN LINGENFELTER: No.

9 MR. REPERT: No?

10 MS. FREEMAN: So tonight you would, similarly like
11 you did in Item Number 1 --

12 CHAIRMAN LINGENFELTER: Basically, set a public
13 hearing.

14 MS. FREEMAN: You would want to set a public hearing
15 for all three of these amendments.

16 CHAIRMAN LINGENFELTER: Right.

17 MS. FREEMAN: And then --

18 CHAIRMAN LINGENFELTER: Now, keeping in mind that we
19 already have a public hearing scheduled for the 1st with this
20 zoning application, amendment application. Do you think that,
21 you know, we would have enough time to tackle three additional
22 conversations with these other amendments in the same evening?

23 MS. FREEMAN: Well, you have to have the public
24 hearing within 20 to 40 days. So I think, in order to stay in
25 compliance without having a special meeting, I would
26 definitely recommend you just set it for the same date,
27 March 1st, and it would be Item 2 on the agenda.

28 CHAIRMAN LINGENFELTER: Or would you want to put off
29 until April?

30 MS. FREEMAN: And not initiate it this evening?

1 CHAIRMAN LINGENFELTER: Right, not do anything about
2 it now, wait until the March meeting and then set the public
3 hearing for April, or do you think we can get it done or not?
4 I mean, I am okay with however you want to move. I don't
5 think these are real involved.

6 MR. IAFELICE: I don't either.

7 MR. REPERT: I don't think so.

8 CHAIRMAN LINGENFELTER: I don't think we are going
9 to see a lot of public comment on these.

10 MR. PETERSON: Yeah, if any.

11 CHAIRMAN LINGENFELTER: I really don't. I think we
12 should be able to get through those pretty quick. So I
13 wouldn't mind seeing those on the March 1st agenda.

14 MR. IAFELICE: I agree.

15 CHAIRMAN LINGENFELTER: If everybody's okay with
16 that.

17 MR. PETERSON: March or April?

18 CHAIRMAN LINGENFELTER: I don't want to run us into
19 the ground but, by the same token, I think we should be able
20 to get these done. That would be four public hearings, you
21 know, four hearings that we would have that day, March 1st. I
22 don't think these three are going to be very long though, I
23 really don't.

24 MR. PETERSON: No, I agree.

25 MS. FREEMAN: Well, and, Mr. Chairman, we would
26 have, I think we could have one public hearing on these three
27 text amendments.

28 CHAIRMAN LINGENFELTER: Right.

29 MS. FREEMAN: Close the hearing and then vote on
30 each one individually.

1 CHAIRMAN LINGENFELTER: Right, yeah, whatever legal
2 counsel would recommend, whatever they say is the best way to
3 do that beyond, that's probably the way it would flow.

4 Okay. All right. Well, I guess I would entertain a
5 motion then to set a public hearing for March 1st for the
6 Zoning Text Amendments Number 1, 2 and 3.

7 MR. IAFELICE: Mr. Chairman, I will make that motion
8 to set a public hearing on March the 1st for Amendments, 1, 2
9 and 3.

10 CHAIRMAN LINGENFELTER: Okay. I have a motion made.

11 MR. REPERT: I will second.

12 CHAIRMAN LINGENFELTER: I have a motion made and
13 seconded by Hiram. All those in favor say aye. Opposed?
14 None opposed. Any abstentions? No abstentions.

15 (Five aye votes, no nay votes.)

16 CHAIRMAN LINGENFELTER: Let the record reflect we
17 had five ayes, no nays, no abstentions, and we are going to
18 set the public hearing for amendment, Text Amendment 1, 2 and
19 3 for the same 3/1/22 hearing date. Okay.

20 MR. REPERT: Do we, Mr. Chairman --

21 CHAIRMAN LINGENFELTER: Yes, sir.

22 MR. REPERT: Do we have elections coming up for the
23 change of --

24 CHAIRMAN LINGENFELTER: March, I think, is it March?

25 MR. PETERSON: April.

26 MS. FREEMAN: We typically do that at the April
27 meeting.

28 CHAIRMAN LINGENFELTER: April, okay, yeah, April.

29 MR. REPERT: Okay.

30 MS. FREEMAN: I don't know why it's always been

1 April.

2 CHAIRMAN LINGENFELTER: So I am out with a bang.

3 MR. REPPERT: You are going out with a bang.

4 CHAIRMAN LINGENFELTER: Yeah, we are going out with
5 a bang. On the March 1st, we are going to cram all this
6 stuff, we're going to cram it through.

7 MR. REPPERT: Who says you're going out?

8 MR. IAFELICE: Yeah, right.

9 CHAIRMAN LINGENFELTER: Nobody. Somebody is
10 stepping in. I am going to move over. I am not going to be
11 in the middle seat anymore. Well, who is, wait, who is the
12 vice chair?

13 MR. PETERSON: (Pointing.)

14 MR. REPPERT: Rich.

15 CHAIRMAN LINGENFELTER: So your job.

16 MR. IAFELICE: It could be me.

17 CHAIRMAN LINGENFELTER: You are taking over the
18 gavel.

19 MR. IAFELICE: It's an annual pass the gavel.

20 MR. REPPERT: Yeah, typically, yeah.

21 MR. PETERSON: Passing of the torch.

22 CHAIRMAN LINGENFELTER: To the vice, yeah, every
23 year.

24 MR. IAFELICE: Unless we say nay.

25 CHAIRMAN LINGENFELTER: Well --

26 MR. IAFELICE: No, I'm teasing.

27 MR. SCHINDLER: It's always been a procedure ever
28 since I've been on the Board.

29 CHAIRMAN LINGENFELTER: Right.

30 MR. SCHINDLER: But there is nothing in writing that

1 said it has to be that.

2 MR. REPPERT: No, that's right, that's right.

3 MR. SCHINDLER: We can keep the same chairman if we
4 all agree.

5 MR. IAFELICE: I'm more than willing.

6 CHAIRMAN LINGENFELTER: I think you should.

7 MR. IAFELICE: Carry the heavy load.

8 CHAIRMAN LINGENFELTER: It's always nice to see a
9 new face.

10 MR. IAFELICE: Yes, to keep all of you in order.

11 CHAIRMAN LINGENFELTER: Somebody has to do it.

12 MR. IAFELICE: Somebody has to do it.

13 CHAIRMAN LINGENFELTER: Okay. So that question is,
14 that will be resolved in April. And it will be an agenda
15 item, just so you're aware, and there will be a formal
16 nomination process and a voice vote and an acceptance. So it
17 will be, I mean, you could technically say no.

18 MR. IAFELICE: Thank you.

19 CHAIRMAN LINGENFELTER: Say, "I don't want it," and
20 that's okay. You can do that.

21 MR. IAFELICE: Okay.

22 CHAIRMAN LINGENFELTER: So that's Item Number 2 on
23 the agenda.

24 Item Number 3 on the agenda is the approval of
25 minutes for the January 4 Zoning Commission meeting. I will
26 entertain a motion. I am anxious to hear if Hiram found any
27 goodies.

28 MR. REPPERT: Yes, I did.

29 CHAIRMAN LINGENFELTER: He did.

30 MR. REPPERT: I did.

1 CHAIRMAN LINGENFELTER: Of course you did. What do
2 we have?

3 MR. REPERT: If you look on page 47.

4 CHAIRMAN LINGENFELTER: Page 47.

5 MR. REPERT: Yeah, it happens to be on page 13.

6 CHAIRMAN LINGENFELTER: Right, but 47 of the --

7 MR. REPERT: 47 of the quarter pages.

8 CHAIRMAN LINGENFELTER: Yes, okay.

9 MR. REPERT: Line item 3, at the end of that line
10 item, "This is one we didn't even look at. Thi is," "this
11 is." So there should be an S in there. That's all that I
12 found.

13 CHAIRMAN LINGENFELTER: Wow. Are you available for
14 spell check? Just curious.

15 MR. REPERT: No.

16 CHAIRMAN LINGENFELTER: No?

17 MR. REPERT: No.

18 CHAIRMAN LINGENFELTER: Have you come over and do
19 some spell checking for me. Okay. So we have that little
20 error. We're missing an S for "this is," so put an S in
21 there.

22 MR. REPERT: With that change --

23 CHAIRMAN LINGENFELTER: Any other issues?

24 MR. REPERT: None.

25 CHAIRMAN LINGENFELTER: Okay.

26 MR. REPERT: With that, Mr. Chairman, I would like
27 to make a motion that we approve the January 4, 2022, meeting
28 minutes with that little --

29 CHAIRMAN LINGENFELTER: Amendment.

30 MR. REPERT: -- S added.

1 CHAIRMAN LINGENFELTER: I have a motion made.

2 MR. SCHINDLER: I second.

3 CHAIRMAN LINGENFELTER: Frank seconds. All those in
4 favor say aye. Opposed? Abstentions?

5 MR. PETERSON: I abstain. I wasn't here.

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

7 CHAIRMAN LINGENFELTER: Right, okay. So we'll let
8 the record reflect we have four ayes, no nays, and one
9 abstention, and that passes for the approval of the minutes as
10 amended by Mr. Reppert.

11 Item Number 4 on the agenda is the correspondence
12 report by Zoning Commission members. Frank?

13 MR. SCHINDLER: Yes, I have an email that was sent
14 to me on January the 13th by Gabe -- Gabby, I will just say
15 Gabby C. because I don't want to mispronounce her last name.
16 She was asking if the township had any regulations on tents on
17 the property, erecting of a tent.

18 CHAIRMAN LINGENFELTER: A tent.

19 MR. SCHINDLER: A tent. And I replied back to her
20 that, no, there isn't any as long as it's on your property
21 and, you know, it's not infringing on anybody else's if it's
22 going to be just for a period of time. She indicated it was,
23 it was going to be for a wedding and her reception in August.
24 So I replied back to her that, no, she can have that tent
25 erected there. So she thanked me for that.

26 And then she sent me another email the same day
27 saying, "Oh, I forgot one thing. I am going to have tealight
28 candles in the tent. Is that okay?" So I told her, I sent
29 back a reply saying, well, to the best of my knowledge, it's
30 okay, but I gave her the telephone number of Fire Station 1

1 and asked her to please check with them to see if there is
2 anything that they would recommend that you would have to do
3 for these candles. So she sent back a thank-you and I sent
4 back to her a congratulations on her upcoming nuptials and
5 wished her much happiness on my last reply. And I copied, of
6 course, Heather on this so it's a matter of record. So if you
7 want her last name, you can find it on the email. So that was
8 the only correspondence.

9 CHAIRMAN LINGENFELTER: That was it?

10 MR. SCHINDLER: That was it.

11 CHAIRMAN LINGENFELTER: Hiram?

12 MR. REPERT: None, Mr. Chairman.

13 CHAIRMAN LINGENFELTER: Mr. Peterson?

14 MR. PETERSON: Nothing, sir.

15 CHAIRMAN LINGENFELTER: Mr. Iafelice?

16 MR. IAFELICE: Nothing, Mr. Chairman.

17 CHAIRMAN LINGENFELTER: I got an email today and I
18 forgot to print it out and I feel really bad about that. It
19 was about light trespass. Did you -- Was anybody else copied
20 on that or was I the only one that got that?

21 MR. IAFELICE: Yes.

22 CHAIRMAN LINGENFELTER: I thought --

23 MR. IAFELICE: That was the month before.

24 CHAIRMAN LINGENFELTER: About the light trespass?
25 No, this was new. It was a new email. It was from -- I wish
26 I could remember the name. I apologize to the resident that
27 sent it. I thought everybody was copied on it, maybe not.

28 MR. REPERT: Is it on your phone?

29 CHAIRMAN LINGENFELTER: No, I don't have my --

30 MR. PETERSON: I didn't get it. The month before,

1 somebody complained about light pollution.

2 MR. IAFELICE: Yes.

3 CHAIRMAN LINGENFELTER: Right, we talked about light
4 pollution. This was specifically about light trespass and
5 they were talking about, we have a part in our Zoning
6 Resolution about commercial properties and light, you know,
7 light issues but we don't have anything that addresses
8 residential. And they felt that with the, kind of, the
9 explosion of LED lights for outdoor use that they are becoming
10 very troublesome for people. I mean, you can imagine if
11 somebody has an LED spotlight and it's coming in the back of
12 your house or into your bedroom, you know, at night, I am sure
13 that it's probably pretty annoying.

14 And I guess right now the only recourse, from what I
15 read on the email, the only recourse is really civil
16 litigation. I mean, you have to basically sue the person to
17 make them, you know, have them change the direction of the
18 light or focus it in a different way or whatever. And they
19 were asking if we would be willing to, willing to consider
20 maybe moving forward with some, a zoning text amendment that
21 would cover residential light trespass.

22 And I thought it was interesting and I -- doggone
23 it -- I, really, I apologize for not printing that out and
24 bringing it with me. I thought everybody else was copied on
25 it. I was expecting somebody to say something. I didn't pay
26 that close attention to who the email went to but I thought
27 there was more than just one person on that email. I didn't
28 think it just came to me. But it came in today and it was a
29 resident here in the township that's, you know, that wanted to
30 know if we would be -- that we should be willing or would we

1 consider putting something on our agenda dealing with light
2 trespass for residential, not commercial.

3 I thought it was something that would warrant at
4 least a discussion. Now, whether, you know, anytime we get
5 into these things, my first concern is enforcement. How do
6 you enforce something like that? Yeah, it's a great idea,
7 intentions may be good but, at the end of the day, how do we
8 enforce it? Do we have the mechanisms in place as a township
9 to enforce that kind of a regulation, you know, when people
10 start to complain. It's just like a lot of other things with,
11 you know, the conditions of the properties and things like
12 that. We get people that have let their properties kind of go
13 into disrepair and then, yes, it's an eyesore and, yes, it's
14 really bad and it's difficult for the neighbors and it
15 definitely infringes on their quality of life but, at the end
16 of the day, what is our ability to enforce those types of
17 regulations? And that's where we sometimes fall short. So --

18 But that's my fault. What I will do is, when I go
19 home, I will forward that email to everyone on the Zoning
20 Commission so they can see that email and read it. It's a
21 well-written email. I think the person brings up some very
22 interesting information. They cite, I think, Ohio Revised,
23 there is an Ohio Revised Code section that they reference and,
24 you know, with regards to that and they also mentioned that we
25 do have that covered in the commercial side of our, you know,
26 for our commercial as a part of lighting regulations for
27 zoning, you know, in our B-3 and all those different sections,
28 you know, but we don't really deal with anything from a
29 residential standpoint and it might be something worth taking
30 a look at. I will forward that off to everyone on the Zoning

1 Commission so you can take a look. Heather, I will include
2 you on that as well so you can see what that looks like.

3 MS. FREEMAN: Thank you.

4 CHAIRMAN LINGENFELTER: So I'm sorry. I thought for
5 sure there was somebody else that saw that. So I will get
6 that out as soon as I get home.

7 Any other correspondence that we want to discuss?
8 No? Okay.

9 Audience Participation, anybody on the phone? I
10 don't think so. We have nobody -- We do have somebody in the
11 audience but I don't think he wants to participate. But,
12 anyway, we do have that section on the agenda for audience
13 participation. We have nobody here but we did get that email,
14 that correspondence with regards to light trespass, so that's
15 something that we encourage those types of things from our
16 residents. If there's things that you are interested in
17 seeing us undertake moving forward, I would certainly
18 recommend doing that.

19 Since there is nobody here from the audience, I
20 guess we can move on from the Audience Participation. Our
21 next meeting will be March 1, 2022. And we have right now, as
22 it sits, we will have two public hearings on the agenda.
23 Anything else we'd like to discuss? Anything we'd like to see
24 put on the agenda for next month? I think we're in pretty
25 good shape. Anything we should be aware of coming up here,
26 Heather?

27 MS. FREEMAN: We might have a site plan review
28 application as well.

29 CHAIRMAN LINGENFELTER: Okay. We know who that is,
30 correct? Right?

1 MS. FREEMAN: The one that I thought was going to
2 be, the Sheetz project originally I thought was going to
3 be in front of you this evening more than likely will be ready
4 for next month.

5 CHAIRMAN LINGENFELTER: You think that will be
6 ready? You think that will be --

7 MS. FREEMAN: That's their goal.

8 CHAIRMAN LINGENFELTER: That's their goal?

9 MS. FREEMAN: Yeah.

10 CHAIRMAN LINGENFELTER: Okay. I thought it was
11 going to be tonight, I really did, but I am surprised.

12 So, okay, with that said, then I guess we can
13 adjourn the meeting. Have a nice evening.

14 (Whereupon, the meeting was adjourned at 7:27 p.m.)

15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

