

CONCORD TOWNSHIP ZONING COMMISSION  
LAKE COUNTY, OHIO  
REGULAR MEETING

Meeting held via YouTube Live Streaming

Concord Town Hall  
7229 Ravenna Road  
Concord, Ohio 44077

April 5, 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  
Michael Lucas, Esq., Legal Counsel

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1 7:01 p.m.

2 CHAIRMAN LINGENFELTER: Good evening. I'd like to  
3 call this Concord Township Zoning Commission meeting, Tuesday,  
4 April 5th, to order. This evening we have a number of things  
5 on the agenda, some items under Old Business and some items  
6 under New Business. We will start with the Old Business  
7 first.

8 Number 1 is the Site Plan Review Application  
9 Number 50 submitted by Sheetz, Inc., for a Sheetz convenience  
10 store, fueling station, car wash for the property located on  
11 Capital Parkway, currently known as permanent parcel numbers  
12 08-A-020-0-00-006-0 and 08-A-020-0-00-027-0.

13 The applicants are here, I take it.

14 MR. RINKER: Yes. Good evening.

15 CHAIRMAN LINGENFELTER: Why don't you go ahead and  
16 get us started.

17 MR. RINKER: If I may, Bruce Rinker, from the firm  
18 of Mansour, Gavin, that's 1001 Lakeside Avenue, Suite 1400, in  
19 Cleveland. And next to me is Ryan Balko, who is really the  
20 permit project manager for Sheetz. I won't say he's the Shell  
21 Answer Man, he's the Sheetz answer man. But I will try to  
22 recap a little bit where we are.

23 We are looking for site plan approval per your  
24 Zoning Resolution. And I want to recapitulate, one,  
25 previously we were before the Board of Zoning Appeals, at  
26 which time we received five individual conditional use permits  
27 for the various components of the site and, if memory serves,  
28 at least two area variances that went along with that.

29 We've been in front of the Commission a number of  
30 times and, most recently, there were, I think, at the close of

1 the meeting we concluded that were enough points that had been  
2 raised in the staff report that it seemed more expedient for  
3 us to go back to review all of those, try to respond to the  
4 itemized points. There were probably around two dozen, if I  
5 recall.

6 And, subsequently, Ryan Balko and the engineer,  
7 Neff, and Sheetz collectively put together a response. And a  
8 lot of that is covered in the staff report, so I won't go over  
9 that point except for, I think, maybe four specific items,  
10 maybe five. We believe that we have satisfied or answered all  
11 of those questions satisfactorily. There were a couple of  
12 points raised in the recent staff recommendation which is  
13 requesting or suggesting to the Board, recommending that it be  
14 conditionally approved on the format that you are all familiar  
15 with. And it starts on page 5, it's Roman number Section IV,  
16 the Staff Recommendations Including the Conditions, and I am  
17 going to refer to that, any particular details. Then I am  
18 going to defer to Ryan and let him try to explain those better  
19 than I will. But I thought if I could cover them up front, it  
20 might be helpful.

21 So the first item we note, it's Item Number 3, which  
22 is revising the zoning data block. There is a conflict,  
23 apparently, regarding interior lot landscaping. Again, Ryan  
24 can explain it better than I but my understanding is that the  
25 zoning data block will be revised so that those will  
26 correspond with one another. I think it was more a scrivening  
27 issue more than anything else.

28 Item Number 6, the propane tank, now, here,  
29 candidly, we wait for a mechanical engineer who is going to be  
30 able to effectively give the specifications for the propane

1 tank itself. We have provided the general or generic form.  
2 There is always a cage that holds these tanks. These are  
3 really for residential use only. There is no propane service  
4 on site.

5 MR. BALKO: No, it's for the car wash.

6 MR. RINKER: Oh, I am sorry. I misunderstood. It's  
7 for the car wash. My apologies. It's Item Number 6. It says  
8 the location shown on the plans is not indicated. My  
9 understanding is it's going to be addressed in building  
10 drawings. Again, I am deferring to Ryan here, so I apologize  
11 for the misstatement.

12 Number 7, the trench drain locations, again, my  
13 understanding is this is no longer an issue. This is  
14 something removed. We believe this was a carryover item from  
15 the prior list but it should not be seen as applicable.  
16 Again, Ryan can answer any specific question on that.

17 Item Number 8 deals with the landscape strip along  
18 both frontages. And last time we were here, this point was  
19 raised previously. And Ryan can show you, there is a few  
20 photos with images superimposed, basically, renderings. Red  
21 Leonard is the name of the entity that performs these. It  
22 shows a night view and then it shows a couple of perspectives  
23 as you're traveling on Capital and 44. And I believe that  
24 Heather was able to get those to you probably today or  
25 yesterday. We just got them in. But the attempt there is to  
26 demonstrate with some visual reality what the site would look  
27 like.

28 We have suggested that, in trying to meet the two  
29 different resolution sections, one, the general section of  
30 landscaping that looks to mounding, a screening mechanism

1 that's going to work between fencing, mounding, perhaps rocks,  
2 trees to achieve a certain level of opacity to screen the  
3 site, then there is the other section dealing with, I think,  
4 it's the Capital District, which deals with frontage parking  
5 and looks to a screen wall, an uninterrupted screen wall. And  
6 recommendation from staff is that this screen wall -- I think  
7 it's 3 feet high -- have appropriate facing with masonry to  
8 match, essentially, the architecture of the site itself. The  
9 convenience store would be the example.

10           Sheetz believes that what it's providing is  
11 aesthetically better and as functional, but we will concede  
12 the point. If it's something that the Zoning Commission, per  
13 the staff recommendation, believes that the stone wall is  
14 preferable, we will meet that condition. So we just want to  
15 explain what we have provided, we think, works well and  
16 consistent with the various code, Zoning Resolution sections;  
17 but in deference to the township preference, if it's going to  
18 be the wall, we would provide that.

19           And then there was one final point under Design  
20 Review regarding the final foundation plans. Here, again,  
21 we're saying that what we provided was really a generic floor  
22 plan. Our suggestion is that this is a site plan process that  
23 looks at two steps. The Zoning Commission makes its decision,  
24 imposes conditions as appropriate, and subsequently depends  
25 upon the zoning administrator to ensure that those conditions  
26 are met. What we suggest is that, if there is any material  
27 variance -- we don't anticipate there would be -- between  
28 engineered drawings, final drawings showing the actual  
29 dimension and location of the site plan for the convenience  
30 store, we could always come back here. We just think that

1 this is a minor detail. It's a disparity, at worst. But  
2 rather than provide all of these plans in advance of zoning,  
3 what we're asking is the typical request that zoning be  
4 approved subject to conditions and then we will meet that  
5 condition.

6 So I think I have covered all the points. Our goal  
7 here, again, is this is a pretty lucrative project. We think  
8 it's something that, economically and aesthetically and  
9 functionally, will work well. We know we've had those  
10 discussions on the point before. But by objective measure,  
11 what we are asking for is your approval, again, subject to the  
12 conditions.

13 And with that, I will turn it over to Ryan and any  
14 questions you may have that he can answer better than I.

15 MR. BALKO: I guess, not to belabor those comments  
16 but just to go back through them, Number 3, the numbers on the  
17 landscape plan sheet 102 are the correct numbers and those  
18 numbers do meet the code requirement. So the zoning data  
19 block on the site plan will be updated to reflect those  
20 numbers.

21 The propane tank that we show behind the car wash,  
22 the size of that tank was used from a previous project. The  
23 car wash that we're proposing here, it's a newer generation  
24 car wash. I am not sure what, how the equipment in that car  
25 wash relates to the one, so it might be a slightly, slightly  
26 larger tank. But again, as Bruce mentioned, we will have a  
27 mechanical engineer run the calculations. They'll tell us  
28 what tank to put. As far as screening, we, you know, we would  
29 be happy to put a privacy fence with a gate around that  
30 propane tank. That's not an issue at all. So those would be

1 in the final plans.

2 The comment Number 7, the car wash detail on sheet  
3 503 was removed. So, you know, the trench drain locations and  
4 the car wash dimensions should just, they should be used as,  
5 you know, that information is correct on the site plan.

6 And Number 8, again, you know, there was, I guess,  
7 maybe just some confusion on our end with one of the code  
8 sections not including the mounding but then the 22.10 did  
9 have a section regarding mounding that we designed to. So it  
10 was just, we're happy to modify the landscape plan to meet  
11 whatever, I guess, there needs to be.

12 So, you know, the one section talked about parking  
13 in the front yard. So I think that might only apply to  
14 Capital Parkway because we don't have parking in the front  
15 yard along 44. But, you know, what we're proposing with the  
16 masonry columns and the aluminum fence all the way around the  
17 property, you know, I guess, we would need to ask for approval  
18 from Zoning Commission to have those breaks. But if you all  
19 decide that you prefer to see a solid wall, we can make that  
20 change but it won't impact, you know, what you see on the site  
21 plan in the sense that it will just be in the same location.  
22 It will be called out as a 3 foot wall.

23 And then the comment about the foundation plans, you  
24 know, we made, we have a prototype building. And because the  
25 back wall of that building is for back of house operations,  
26 it's usually a flat wall. For this project, since it's facing  
27 State Route 44, in other criteria in that design review we  
28 added some bump-outs. Those bump-outs will, obviously, affect  
29 the foundation plan along that wall. Those final foundation  
30 plans will be created when we, you know, move on to final

1 building drawings and our structural engineer will update that  
2 accordingly.

3           And then we just, you know, just the renderings, we  
4 thought it would be helpful. I know that it's always better  
5 to see a little bit of a perspective of, you know, what this  
6 project could look like. So this is facing --

7           MR. REPERT: Heather, could you get some lights in  
8 here so we could see better?

9           MS. FREEMAN: Oh, sure.

10          MR. REPERT: Thank you.

11          MR. BALKO: So existing photo on Capital Parkway  
12 facing east. So this would be the entrance on Capital  
13 Parkway, monument sign out front. You can see the new  
14 sidewalk installed along Capital Parkway, canopy and building  
15 in the background.

16                 This is a view from the intersection of Capital  
17 Parkway and State Route 44. So the second monument sign  
18 facing traffic on State Route 44, you can see the landscape,  
19 you know, buffer along both streets there providing, you know,  
20 a decent, a decent frontage along the property there blocking  
21 the view, and then building in the background, canopy in the  
22 far.

23                 And then we added just a night view just to show.  
24 Now, I will be the first to tell you that they don't, when we  
25 had these done, they don't do a study of the street lighting.  
26 This is, this is just the lighting on the site. So it's not,  
27 it's not going to be that dark out on the street. But just to  
28 show that, you know, the downward lighting and how that might  
29 look on the building.

30                 And this is if you're headed up north on State



1 Route 44, so the existing trees in the right-of-way there.  
2 You know, we'd obviously worked with ODOT. We have to apply  
3 for a beautification permit. We will go through all those,  
4 all those steps to get that completed but -- So you have the  
5 car wash nearest the photo and the building and canopy in the  
6 background there. So we just wanted to give some perspective  
7 of what the project would look like on this corner.

8 Bruce, unless you have anything, I think that's all  
9 we really have, and happy to answer any, you know, additional  
10 questions.

11 CHAIRMAN LINGENFELTER: Okay. I will defer to the  
12 Board for questions. Frank, do you have any questions at this  
13 point, anything you would like to discuss?

14 MR. SCHINDLER: Not questions but I will make a  
15 comment at the end whenever everyone else is finished.

16 CHAIRMAN LINGENFELTER: Okay. Hiram, any questions?

17 MR. REPPERT: No questions at this time.

18 CHAIRMAN LINGENFELTER: Okay. Rich, questions?

19 MR. IAFELICE: Yes, Mr. Chairman. I also have  
20 comment for the end but the question on the design. So, first  
21 of all, really appreciate the renderings and the layout. You  
22 did a good job with it to really, at least, it represents to  
23 us what you're intending to do.

24 So the cross-section with the steps, I didn't see  
25 what that material of construction is, Ryan. Is that  
26 concrete? Is it metal rail?

27 MR. BALKO: Yeah, yeah, unless there was a request  
28 of a specific material, it would be concrete, concrete steps.

29 MR. IAFELICE: Okay, okay. So then on sheet 604  
30 where you have the grading plan, then is that the accessible,

1 the way the ramp, it's a ramp that meets the grade above the  
2 step?

3 MR. BALKO: Yeah. I think what the intent there was  
4 to keep it under 5 percent so they didn't have to add a  
5 handrail.

6 MR. IAFELICE: Okay.

7 MR. BALKO: But, yeah, that would, anybody in a  
8 wheelchair or that would need, you know, a softer path to the  
9 store would use that.

10 MR. IAFELICE: So actually, Ryan, you hit, that was  
11 my question because I thought the grade would necessitate  
12 handrails or something.

13 MR. BALKO: Yeah, it would be under, it will be  
14 under 5 percent so it doesn't hit that threshold that we have  
15 to add the handrails.

16 MR. IAFELICE: Okay. Or even a curb?

17 MR. BALKO: Yeah, it's just considered a path.

18 MR. IAFELICE: Considered a path.

19 MR. BALKO: Accessible path.

20 MR. IAFELICE: Okay, okay. And then relative to the  
21 propane tank that -- I am sorry. I apologize. I think that's  
22 in the -- Where is that located?

23 MR. BALKO: It's on the south side of the car wash  
24 there. There should be an oval.

25 MS. FREEMAN: If you're looking at the site plan,  
26 it's right on the utility plan.

27 MR. BALKO: Yeah, no.

28 MR. IAFELICE: I am sorry, Ryan.

29 MR. BALKO: No, you're good.

30 MR. IAFELICE: Is it this one here?

1 MR. BALKO: No. (Pointing.)

2 MR. IAFELICE: It's that?

3 MR. BALKO: Yeah. It might be easier to see on the  
4 site plan.

5 MR. IAFELICE: Oh, that's okay. That's where it is  
6 located, okay, and its function is what?

7 MR. BALKO: There is, yeah, so there is no natural  
8 gas service installed along Capital Parkway. We have the  
9 ability to do an all-electric store but the functions in the  
10 car wash cannot be all electric. So the alternative when  
11 there is not natural gas available is to use propane.

12 MR. IAFELICE: Okay, okay, thank you.

13 Thank you. Mr. Chairman.

14 CHAIRMAN LINGENFELTER: Mr. Peterson?

15 MR. PETERSON: I have a comment, some comments, but  
16 a question, I guess, for Heather, really, as far as this list,  
17 the long laundry list that we talked about of open items. It  
18 appears that all the main things have been addressed. Is  
19 there anything else of concern that hasn't been closed out  
20 that can be closed out now?

21 MS. FREEMAN: That can be --

22 MR. PETERSON: Some of these things, they're going  
23 to have to do.

24 MS. FREEMAN: Well, I think that Ryan and Mr. Rinker  
25 did a good job going through here. So under the Staff  
26 Recommendations, you know, there's a few that they said that  
27 they need a little bit of guidance from you guys on.

28 MR. PETERSON: Okay.

29 MS. FREEMAN: As far as the fence and the columns,  
30 is that an adequate screening wall or do you prefer to see a

1 solid wall? So I am sure they would like your input on that.

2 I do want to clarify on Number 7, the trench drain,  
3 that comment was a little inaccurate. I went back and looked  
4 at that this morning and we looked at it again -- and,  
5 actually, this is so minor. It doesn't affect zoning  
6 approval -- but if you look at the length of drains that are  
7 shown on C503, they indicate that the length of them are 6  
8 feet, 8 inches. However, on the site plan, it looks like they  
9 go completely across the drive. So it's --

10 MR. BALKO: Yeah, so they come in 6 foot 8 sections  
11 and then they would cut the second one to fit.

12 MS. FREEMAN: Yeah, okay. But that, you know, that  
13 could be removed from, as a condition if this Board doesn't  
14 want to include that in. But the other, you know, Rich, as  
15 far as comments from the other agencies --

16 MR. PETERSON: Right.

17 MS. FREEMAN: -- they just have to work with those  
18 agencies separately.

19 MR. PETERSON: Okay.

20 MS. FREEMAN: So that doesn't --

21 MR. PETERSON: That's what I was curious about.

22 MS. FREEMAN: Yeah.

23 MR. PETERSON: All right. Thank you.

24 CHAIRMAN LINGENFELTER: Any other questions from the  
25 Board?

26 Okay. Guys, I think we are good for now. You can  
27 have a seat if you like.

28 Now we will address these issues separately as in  
29 the, as in the agenda. One will be, the first item will be  
30 for the site plan review application and the second item will

1 be for the design review. And we will do a voice -- or we'll  
2 do a roll call vote for each application. Okay? We've got  
3 two separate issues to deal with here.

4 So any comments before we move on to this process,  
5 Frank?

6 MR. SCHINDLER: I think the only comment I have, I  
7 mean, they make a nice, nice job. I've been in your  
8 establishments for lunch on my business travels. So I think  
9 they're well put together and laid out nice. I compliment  
10 your designs and everything.

11 The only thing I have misgivings about this project,  
12 one thing, the entrance and the exit coming from Capital  
13 Parkway. I can see a problem there, and I have seen it before  
14 in my travels in other areas when a service station of this  
15 nature is put up so closely to a main highway like 44. People  
16 come flying through there and it's just human nature,  
17 especially with the light up there, to beat it sometimes.  
18 Coming in and coming out of an establishment like this right  
19 onto Capital, I can see an accident waiting to happen.

20 If you would make the entrance and exits to this on  
21 the side street, you would have my blessing. But the way it  
22 sits right now, that's the only thing I have and, unless  
23 that's changed, I am going give you a negative vote, my vote  
24 tonight. I just see, I am just worried with about accidents  
25 and everything because of that. That's my comment.

26 CHAIRMAN LINGENFELTER: Okay. Hiram, any comments?

27 MR. REPERT: Gee, I don't know if it's now or  
28 later.

29 CHAIRMAN LINGENFELTER: Oh, it's now or never.

30 MR. REPERT: It's now or never?

1 CHAIRMAN LINGENFELTER: Yeah.

2 MR. REPPERT: I reviewed the Sheetz information and  
3 the zoning regulations concerning this type of establishment.  
4 Although I was not involved in the Town Center concept, as a  
5 Zoning Commission member, I have seen the model for the mixed-  
6 use development as, you know, as part of the Town Center. Any  
7 transient, meaning in/out establishment, does not fit with the  
8 Town Center vision and it is not conducive for the entrance  
9 into the Gateway Business District. That's my comment.

10 CHAIRMAN LINGENFELTER: Okay. Mr. Iafelice.

11 MR. IAFELICE: Mr. Chairman, thank you, if you will  
12 indulge me.

13 CHAIRMAN LINGENFELTER: Oh, we'll indulge you.

14 MR. IAFELICE: With the consent to legal counsel,  
15 what I shared with the Board, I am reading into the record  
16 this evening, basically, to express my opposition to the  
17 location of this Sheetz.

18 Concord Township's population growth in this county  
19 has continued over the years and, in addressing that growth,  
20 the Township initiated a Comprehensive Plan to plan for that  
21 growth. Comp plans are a requirement in law. The 2004 Plan  
22 states "to preserve options to generate property tax revenues  
23 from commercial tax base, the township must be strategic about  
24 designating land areas for commercial uses that is sufficient  
25 to meet these goals." The Plan, bolstered by a citizen  
26 advisory committee at that time, recommended enhanced signage  
27 at key locations and to establish an identifiable Town Center  
28 to focus on personal/service needs and provide a walkable,  
29 safe environment. This concept creates space, it creates a  
30 destination.

1           In 2006, the Township then invested in a Corridor  
2 Study for the Auburn-Crile area with a specific mission  
3 statement, "The study will identify potential future economic  
4 development opportunities in this corridor; and to ensure that  
5 services, zoning and infrastructure are properly matched to  
6 assure efficient maximized development for the corridor in  
7 concert with the overall development agenda of Concord  
8 Township." The study's recommendation, and I will quote, was  
9 to "create a commercial/business gateway district to attract  
10 professional office, commercial and retail land uses." The  
11 plan also provided a couple of general conceptual renderings  
12 that begin at the western right-of-way of State Route 44 and  
13 extend through Auburn Road.

14           The Township then spent years and heavily invested  
15 in revising the traffic pattern at State Route 44 and Auburn  
16 Road that resulted in a major, major cost and investment to  
17 break the SR 44 right-of-way and to extend Capital Parkway to  
18 Auburn Road. For me, that set the table for the Town Center  
19 concept.

20           Then in 2015, the Township contemplated an update to  
21 the Comprehensive Plan that focused primarily on economic  
22 development. It furthered the 2006 Town Center models and  
23 gave more detail and support to the identity and the character  
24 of the Town Center.

25           It was the most recent work in 2016, the Concord  
26 Town Center vision, that translated that strategy to a vision  
27 of mixed use, as Hiram just pointed out, planned development  
28 incorporating businesses, commercial and residential in an  
29 attractive model. The effort is, was significant in scale,  
30 ideas and concepts. There were many renderings presented to

1 us, all of which were focused on the area beginning with the  
2 westbound gateway at SR 44 through Auburn Road.

3           Granted, the Comprehensive Plan is just a model but  
4 it does establish a vision of place, a destination. It does  
5 not envision a pass-by for gas refills and a 24/7 hangout.

6           As a public body representing the interest of the  
7 township, we have to consider the future as well as the  
8 present. To sustain the township's growth, governance will be  
9 challenged to maintain our quality of life. The geography and  
10 the location of critical, critical infrastructure in the  
11 transportation corridor, I-90 and SR 44, make the Capital  
12 Parkway/Auburn Road/SR 44 confluence as the best and only  
13 likely location of any desirable economic activity for this  
14 township. And that was the focus of the Township's plan. We  
15 have to also plan for the future to ensure that this location  
16 can become a resource for the type of development envisioned  
17 in our plans to generate the income and to sustain the  
18 community.

19           We know the demographics of the township is a mix of  
20 a large aging population, combined with the influx of many new  
21 families. That aging population, evidenced by past input,  
22 wants to remain and live more easily, access to stores,  
23 restaurants, entertainment. I believe we need to consider  
24 this in how we make decisions on the development of an area  
25 that possesses many of those favorable characteristics to  
26 improve the economic base as proposed in the Plan.

27           So I will conclude, I conclude this with, a gas  
28 station is not a destination envisioned in our planning but a  
29 drive-by, a place for passersby. I am particularly disturbed  
30 that the developer conducted no site selection analysis, they



1 acknowledged they had not read the Comprehensive Plans, and  
2 they gave us a one-word answer as to why this site as  
3 selected, a one-word answer, "traffic." For me, that was  
4 unacceptable. I find that response to be self-serving. It  
5 doesn't serve the public's interest. We deserve more than  
6 that, considering the importance of this area to this  
7 township.

8           And even more so, the comment from our first meeting  
9 of "we'll lawyer up" was disrespectful as I thought they  
10 sought an end-around through the BZA to obtain conditional use  
11 under rules more favorable to the developer.

12           For me, these are the primary reasons I object to  
13 this location for the Sheetz gas station. Thank you.

14           CHAIRMAN LINGENFELTER: Thank you, Rich, very well  
15 stated.

16           Mr. Peterson.

17           MR. PETERSON: Yes, thank you, Andy. I would like  
18 to take a different approach. I've given this proposal a lot  
19 of thought and I studied again our Zoning Map. And back  
20 somewhere around 2016, three of us, at least, were still on  
21 the Board at that time and we took a look at the land around  
22 the proposed Town Center and we said we need to, we need to  
23 zone that as something special for the Town Center. So we  
24 came up with the idea of Capital zoning.

25           And in that Capital zoning, we took a look at what  
26 might be there in the future and what we would like to have  
27 there in the future. And as part of that zoning for that  
28 little chunk of land that surrounds the Town Center that we  
29 hope some day will materialize, we said a gas station could be  
30 a conditional use, and we put that in our zoning regulations

1 as the conditional use for this piece of property. So if we  
2 didn't want a gas station anywhere in this proposed chunk of  
3 zoning, we could have, at that time, ruled it out; but we  
4 chose to put it in as a conditional, as we did the car wash  
5 and the food service counter.

6 So I have heard a lot of talk about the location and  
7 I've looked at the map and I don't even see where there could  
8 be another practical location for something like the Sheetz  
9 proposal because it needs to be on a corner and it can't have  
10 an entryway off of Route 44.

11 And the location of a gas station somewhere a  
12 quarter of a mile from a Town Center that may materialize some  
13 day doesn't appear to be a problem to me and it's not  
14 unprecedented because, in our major commercial development  
15 that we have today on Crile Road, which is Grist Mill Village  
16 and Crile Crossing, right in the middle of those two areas we  
17 have a Shell station. And you can see it clearly from both  
18 locations and it's never been, never presented a problem.

19 In our other retail, large retail area in Concord,  
20 Concord Plaza on the curve of 84, we have a Shell station  
21 right on the corner, clearly visible for the entire  
22 development, never been a problem.

23 And so given it was a conditional use, the  
24 requirement was Sheetz had to go to the BZA and get approved  
25 for all three conditions, the car wash, the gas station and  
26 the food service. They did that. That was approved as a  
27 final decision by that body because that's their function.  
28 It's not our function. It's their function on some -- for  
29 conditional use. So they've approved this already, clearly.

30 Our job then, in my opinion, is to look at the site

1 plan and the design plan and compare it to the zoning  
2 regulations that we have in our zoning book. And I took the  
3 book apart and I looked all through it and I see no  
4 noncompliance to any of our zoning requirements, which is what  
5 this Board is really chartered to do is to look at the  
6 regulations and see if they fall within and meet the  
7 regulations. And in my opinion, they do. Our job is not to  
8 pass judgment on the location because maybe we personally  
9 don't like it because it is zoned for that purpose.

10 This project, as I understand it, brings \$6 million  
11 in investment to our township. It brings 39 new jobs. It  
12 will pay property tax into Concord. It's even paying JEDD tax  
13 into Concord. It provides 24-hour services for food, fuel and  
14 convenience store that we don't have now. We have nothing  
15 that's 24 hours. Both the Lake County Planning Board has  
16 reviewed this and recommended conditional approval, and our  
17 own Zoning staff has reviewed it and recommended conditional  
18 approval.

19 I think this development could spark further  
20 development. Whether the Town Center ever materializes, we'll  
21 never know. It's years down the road, possibly, but this  
22 could start something. It could create an interest. I think  
23 it's a good looking establishment and I think we would be  
24 remiss if they didn't approve it. Thank you.

25 CHAIRMAN LINGENFELTER: Thank you, Rich.

26 All right. My comments are, pretty much, unchanged  
27 from our previous meeting. My biggest concerns are pretty  
28 much mirrored in a lot of comments that Mr. Iafelice made with  
29 regards to the adherence to the Comprehensive Plans and also  
30 the Town Center concept. I don't think that this particular

1 establishment brings anything to the township of value. I  
2 think the things that it brings, we already have. I don't  
3 particularly see anything that makes this stand out over and  
4 above what we currently have available on State Route 44 and  
5 through that particular area.

6 It's just another gas station and I think it's a  
7 transactional business place. I don't think this is a place  
8 you're going to take your family for dinner on a week night or  
9 a weekend, and I don't think this is a place you are going to  
10 go hang out and have coffee with your friends. I think this  
11 is, pretty much, a place you are going to go get gas and fill  
12 up and pick up something to eat on the road and it's going to  
13 bring a lot of additional traffic into the area outside of the  
14 township for that particular purpose. The fact that it's 24/7  
15 doesn't exactly thrill me either. You know, it brings that  
16 traffic in and it brings it much further into the township  
17 than near the entranceway off of 90 and 44.

18 But, again, my biggest concern is that, you know, as  
19 the, as the Zoning Commission is concerned when we review  
20 these types of businesses and the idea behind them, I think it  
21 goes, I think it goes much deeper than just the black and  
22 white of the Zoning Resolution. I think it is, we have a  
23 duty, we have a responsibility to look out for what is in the  
24 best interest of the township and that goes beyond that. And  
25 I just don't see where this particular --

26 And, again, I have nothing against Sheetz as a  
27 business or anything else. I have no vested interest in any  
28 other businesses in the township that would cause me to be  
29 opposed to this other than the fact that I just don't think it  
30 fits into where, to the location that they're proposing. I

1 would much rather see this somewhere else in the township. I  
2 think it would be okay. But I think right on this particular  
3 location, I think it's a bad place and I think it would, I  
4 think it would be a very deterring and have a very deterring  
5 effect on future development for Capital Parkway area and for  
6 the Town Center.

7 So for that reason, I can't, I just cannot see  
8 myself clear and supporting this. I just can't do it, I  
9 can't. So those are my comments.

10 MR. RINKER: Mr. Chairman, may I address the Board  
11 as soon as you're done with comments?

12 CHAIRMAN LINGENFELTER: Sure. You can do that right  
13 now.

14 MR. RINKER: While we appreciate the candor, I guess  
15 I would just want to clarify something.

16 First, from Mr. Schindler, you understand that there  
17 was a professional traffic engineering evaluation done. It  
18 was feedback from the Township responded to. All that  
19 information was provided at the end of 2021, with no  
20 indication that there was any rejection of that. But I  
21 understand that won't change your mind because of your own  
22 personal experience with this layout; is that correct?

23 MR. SCHINDLER: Correct.

24 MR. RINKER: Okay. And as far as the other three  
25 gentleman are concerned, if I understand correctly,  
26 Mr. Iafelice said that we took an end-around to the BZA. We  
27 would definitely disagree on that perspective. I think it's  
28 unfair. I don't think it's appropriate. You have a Zoning  
29 Resolution. You expect people to comply with the resolution,  
30 whether it's black and white letters or there are other

1 discretionary components. Sheetz has done everything possible  
2 and, certainly, reasonable and objectively measurable to meet  
3 those standards.

4 The BZA, if I understand correctly, at least in the  
5 estimation of three of you, really has no business making  
6 these decisions, that the Comprehensive Plan and the  
7 subsequent studies speak to really the heart and the soul of  
8 the township and, evidently, the Board of Zoning Appeals  
9 abandoned that. And I think it's unfortunate to characterize  
10 that way. We've been trying to follow the law and I think  
11 we've done so.

12 CHAIRMAN LINGENFELTER: Thank you. Any other  
13 comments from the Board at this point?

14 MR. REPERT: None, none here.

15 CHAIRMAN LINGENFELTER: Anybody else?

16 Okay. Heather, do you want to call the roll?

17 MS. FREEMAN: I will need a motion.

18 CHAIRMAN LINGENFELTER: Oh, yes, yes. I am sorry.

19 MS. FREEMAN: And a second, please.

20 CHAIRMAN LINGENFELTER: We will need a motion to the  
21 affirmative for the, for Item Number 1 for Site Plan Review  
22 Application Number 50, please.

23 MR. PETERSON: Mr. Chairman, I make a motion that we  
24 approve Site Plan Review Application Number 50 submitted by  
25 Sheetz as defined tonight.

26 CHAIRMAN LINGENFELTER: We have a motion made.

27 MR. SCHINDLER: I second.

28 CHAIRMAN LINGENFELTER: We have a second. Okay.  
29 Heather, call the roll.

30 MS. FREEMAN: Mr. Schindler?

1 MR. SCHINDLER: No.

2 MS. FREEMAN: Mr. Reppert?

3 MR. REPPERT: No.

4 MS. FREEMAN: Mr. Peterson?

5 MR. PETERSON: Yes.

6 MS. FREEMAN: Mr. Iafelice?

7 MR. IAFELICE: No.

8 MS. FREEMAN: And Mr. Lingenfelter?

9 CHAIRMAN LINGENFELTER: No.

10 Okay. Let the record reflect we have four nays and

11 one yea, no abstentions. The Site Plan Review Application

12 Number 50 has been denied.

13 Okay. We will move on to Item Number 2 on the

14 design review application, so I will entertain a motion for

15 the design review application.

16 MR. REPPERT: I will make a motion that we approve

17 the site or the Design Review Application Number 50 with

18 staff's comments incorporated.

19 CHAIRMAN LINGENFELTER: We have a motion made.

20 MR. SCHINDLER: I second.

21 CHAIRMAN LINGENFELTER: Frank seconds. Heather, the

22 roll, please.

23 MS. FREEMAN: Mr. Iafelice?

24 MR. IAFELICE: No.

25 MS. FREEMAN: Mr. Peterson?

26 MR. PETERSON: Yes.

27 MS. FREEMAN: Mr. Reppert?

28 MR. REPPERT: No.

29 MS. FREEMAN: Mr. Schindler?

30 MR. SCHINDLER: No.

1 MS. FREEMAN: And Mr. Lingenfelter?

2 CHAIRMAN LINGENFELTER: No.

3 Okay. Let the record reflect that there were four  
4 nos, one yea, no abstentions. The Item Number 2 of the Design  
5 Review Application Number 50 submitted by Sheetz, Inc., has  
6 been denied.

7 MR. RINKER: If I may, a point of order, just a  
8 question. When will the written decision be formally entered?  
9 Will it be tonight? with the adoption of the minutes? Can  
10 you explain?

11 CHAIRMAN LINGENFELTER: Heather, will you give me  
12 the paperwork to sign this evening? Will there be something  
13 for me to sign?

14 MS. FREEMAN: Let me check with Mike Lucas on that  
15 but I believe the Zoning Resolution says we have seven days to  
16 give you --

17 MR. RINKER: That's fair. I just want to make sure  
18 that we're clear on that date.

19 CHAIRMAN LINGENFELTER: Right.

20 MR. RINKER: All right. Thank you.

21 MS. FREEMAN: Yes, yeah.

22 CHAIRMAN LINGENFELTER: Yep, thank you.

23 We will take a brief recess. Let the -- Thank you,  
24 gentlemen, for coming in. Appreciate it.

25 (Whereupon, there was a recess from 7:42 p.m.  
26 until 7:46 p.m.)

27 CHAIRMAN LINGENFELTER: Okay. We are back. We are  
28 back in order for the second part of our Zoning Commission  
29 hearing on Tuesday, April 5th.

30 Under New Business, we have, under Item Number 1 in



1 New Business, we have a Site Plan Review Application Number 49  
2 submitted by M.E. Osborne Construction Company LLC for a  
3 proposed building addition for Cometic Gasket located at  
4 8120 Auburn Road, current parcel number 08-A-021-0-00-074-0.

5 Do we have the applicant here? Come up and fill us  
6 in on the details.

7 MR. REPERT: State your name.

8 CHAIRMAN LINGENFELTER: Pardon?

9 MR. REPERT: State your name.

10 CHAIRMAN LINGENFELTER: And please state your name  
11 and address for the record.

12 MR. NOVAK: Good evening. My name is David Novak.  
13 I'm the president of Barrington Consulting Group. The address  
14 is 9114 Tyler Boulevard, Mentor, Ohio. We're here and I have  
15 a representative from the construction company, from M.E.  
16 Osborne, and the owner is here in the audience. So, again, if  
17 I can't answer your questions, hopefully, they can.

18 I am sure everybody here has read the staff report  
19 but I will just kind of glance over some of the highlights  
20 here. This is a construction of approximately 10,500 square  
21 foot building addition with the sole purpose of manufacturing  
22 and warehouse. The proposed addition will be connected to an  
23 existing approximately 10,000 square foot building which  
24 consists of approximately 7,400 square feet of manufacturing  
25 warehouse space and approximately 2,600 square feet of office.

26 The proposed building addition elevations will match  
27 those of the existing building. The proposed addition will  
28 have one truck dock. The site is currently improved because  
29 of the existing building that's on site. I believe that we  
30 have met all of the requirements from parking and so forth.

1           And I would note that this, the owner purchased,  
2 they purchased this property to connect to expand their  
3 business. So, again, this used to be a separate parcel.  
4 Cometic, in the last year or so, has already added 20 new jobs  
5 to their facility. And with this addition, we're hoping to  
6 add another ten new jobs to Concord. Again, Cometic has been,  
7 been here in Concord since 1998, and they want to continue  
8 this good relationship that they have with Concord.

9           We have reviewed the staff report and we reviewed  
10 all of the comments or conditional comments from the Fire  
11 Department and so forth, and we're in agreement. We can  
12 satisfy all of those. The only one that I have a slight  
13 concern is, if you looked at the site plan, there is a storm  
14 connection or storm pipe that actually outlets onto the  
15 adjacent property, actually, onto Auburn Career Center's  
16 property. That was there before we acquired the property, so  
17 that's not something that we created.

18           However, we are -- The owners reached out to the  
19 Auburn Career Center today. We are trying to obtain that  
20 easement but I cannot force Auburn Career Center to provide  
21 that easement. We feel comfortable that we can get it but --  
22 And, again, it was, in the staff report, it was recommended.  
23 It didn't say we had to. So that's my only concern is that I  
24 wouldn't want this project to stop just because we cannot get  
25 an easement from an adjacent property owner.

26           MR. REPPERT: Is that the one from the proposed  
27 pond?

28           MR. NOVAK: It's actually -- Give me a second here.  
29 If you look on -- It's not from the proposed pond. It's from  
30 the, it's actually from the pond that's in the front of the

1 property. So it's going to run down the east property line.  
2 It comes out of the pond and you can see it.

3 CHAIRMAN LINGENFELTER: Do you have a page number  
4 for us to read?

5 MR. NOVAK: On page, it's shown on page 5.

6 CHAIRMAN LINGENFELTER: Okay.

7 MR. NOVAK: Also on page 4.

8 CHAIRMAN LINGENFELTER: Okay.

9 MR. NOVAK: But there is the pond in the front.  
10 There's a storm sewer. There is an outlet that comes into a  
11 yard drain or catch basin there and then it follows out and,  
12 when it gets to that L-shaped portion of the property, it kind  
13 of meanders to the east. So it's maybe five, ten feet, the  
14 center of it is off of our property when it gets to the end of  
15 it.

16 And like I said, this, if you're familiar with the  
17 site -- and I don't know what documents you have -- but there  
18 is a large ravine in there between this property and the  
19 school. So, in reality, this property over here where we're  
20 going to ask them for the easement has no value to the school,  
21 in my opinion. But, again, I just don't, like I said, I just  
22 don't want to be -- I don't want this project to stop because  
23 we can't obtain that, that easement.

24 MR. SCHINDLER: It's not a buildable easement area  
25 where something could have been built?

26 MR. NOVAK: No. It's a, it's a large slope.

27 MR. SCHINDLER: Just a slope.

28 MR. NOVAK: Yeah. So the school is not going to be  
29 building anything on it.

30 CHAIRMAN LINGENFELTER: Yeah. If you look at the

1 grade line, you can see it's definitely not --

2 MR. NOVAK: Unless they want to go hiking through  
3 there or something, I don't know what the school would use  
4 that for.

5 CHAIRMAN LINGENFELTER: Yeah, if you look at the  
6 grade lines on -- What is it, page --

7 MR. IAFELICE: Seven.

8 CHAIRMAN LINGENFELTER: Yeah, page 3 and then  
9 page 7.

10 MR. IAFELICE: Three and seven.

11 CHAIRMAN LINGENFELTER: Yeah, page 7 gives you a  
12 pretty good idea, too. You can see it's a pretty, pretty  
13 steep grade along that edge there.

14 MR. NOVAK: And you can see even on page -- let me  
15 look at 7 -- but, you know, the riparian setback on that  
16 stream back there, you know, is way south of it. But that's  
17 a, I will bet you it's every bit of, could be 100 feet back  
18 there, 50 feet deep, something like that.

19 CHAIRMAN LINGENFELTER: Right.

20 MR. NOVAK: It's a major ravine, creek.

21 MR. IAFELICE: Mr. Chairman, may I kind of segue to  
22 Hiram's question?

23 Mr. Novak, you described the existing storm sewer  
24 down that line but, out of the proposed pond, there is a  
25 connection to it. The outlet also traverses the property  
26 line.

27 MR. NOVAK: Yes.

28 MR. IAFELICE: I think that's Hiram's question.

29 MR. REPERT: Yeah.

30 MR. NOVAK: Yes. And we are going to connect into

1 that. Again, our, when the original -- when the western  
2 building was built, there is actually a pipe that goes down  
3 over the hill for that one. And, again, the construction of  
4 that, I was not part of this project back then but it was very  
5 difficult for them to construct it. Again, we really don't  
6 want to disturb that hill bank, the hillside over there. So,  
7 again, that's why we're having conversations with the school  
8 and, again, we feel pretty positive that we can get that, an  
9 easement from them. It's good for us and them.

10 MR. IAFELICE: I would just suggest some type of  
11 structure at that point of connection.

12 MR. NOVAK: Yes, that's actually one of the  
13 comments, I believe --

14 MR. IAFELICE: Oh, I'm sorry.

15 MR. NOVAK: -- in the staff report or, actually,  
16 from Lake County Stormwater, I believe it was.

17 MR. IAFELICE: Cleanout or manhole access.

18 MR. NOVAK: Yes.

19 CHAIRMAN LINGENFELTER: Yeah, under Item 5, Rich.

20 MR. IAFELICE: I missed that.

21 CHAIRMAN LINGENFELTER: That's okay. Item Number 5,  
22 the fourth bullet point, recommending an additional structure  
23 where the outlet pipe from the new basin ties into the  
24 existing outlet pipe. So it's in there.

25 MR. IAFELICE: Okay.

26 CHAIRMAN LINGENFELTER: As far as the staff  
27 recommendations are concerned, the 6 inch water line, fire  
28 hydrant is not compliant and the Fire Department will require  
29 an 8 inch line. We're okay with that?

30 MR. NOVAK: We're okay with that.

1           CHAIRMAN LINGENFELTER: Okay. Proposed location to  
2 wall mount Fire Department connection will be compliant.  
3 Proposed location for a hydrant, fire hydrant will be  
4 compliant. Fire hydrants will be self-draining. Plans must  
5 conform to Lake County Stormwater Management, which covers the  
6 stormwater report. The rock outlet protection at the ends of  
7 the storm sewer inlets. The easement -- or recommending  
8 obtaining an easement over existing outlet pipe which the new  
9 basin will discharge to, and, also, the additional structure.  
10 Was there anything on, was there anything else in the staff  
11 recommendations that you guys feel you will have a difficult  
12 time meeting or exceeding?

13           MR. NOVAK: No, no, I believe, you know, we believe  
14 we can meet everything. And, again, in conversation that I  
15 had yesterday with Heather, it's, the way I understand the  
16 process is, if you grant us approval tonight, before we get  
17 our permit, she would have to go through this and check off  
18 all these items to make sure that we are in compliance.

19           CHAIRMAN LINGENFELTER: Right.

20           MR. NOVAK: So there is still another check to make  
21 sure that we're doing what we say we're going to do.

22           CHAIRMAN LINGENFELTER: Right.

23           Any questions from the Board? Frank, any questions?

24           MR. SCHINDLER: No. I think he answered all of my  
25 questions.

26           CHAIRMAN LINGENFELTER: Okay. Hiram?

27           MR. REPPERT: Does that stormwater invert just stop  
28 right there, as indicated?

29           MR. NOVAK: I believe there is a headwall there. I  
30 don't know if there is any rock protection or anything past

1 that headwall.

2 MR. REPPERT: Okay. But it does go down to the  
3 stream?

4 MR. NOVAK: It does, the water does discharge down  
5 there. And it's been there for -- I don't know if Heather  
6 would know when this building, the original building was built  
7 but it's been there for a while. Like I said, Cometic has  
8 been there since 1998, so we've got a few years.

9 MR. REPPERT: Okay. No, I have no further comments.

10 CHAIRMAN LINGENFELTER: Mr. Iafelice?

11 MR. IAFELICE: Just a couple, if I may. Is the  
12 earthwork balanced on this site? What are you doing with  
13 all -- You've got to move a lot of earth here.

14 MR. PLAUTZ: Yes, it balances.

15 MR. NOVAK: Yes, it balances.

16 MR. IAFELICE: You've got to move a lot of dirt.

17 You may not be able to answer this but I am just  
18 curious. What is the process that's being done here? What  
19 is --

20 MR. REPPERT: Gaskets.

21 MR. IAFELICE: I meant, yeah, strictly --

22 MR. NOVAK: If you like --

23 MR. IAFELICE: Just curious.

24 MR. NOVAK: I can have one of the owners come up and  
25 explain it to you because I wouldn't do it justice. They make  
26 things, that's about all I know.

27 MR. IAFELICE: I was just curious what industry it  
28 serves and whatnot.

29 CHAIRMAN LINGENFELTER: Please state your name and  
30 address for the record.

1 MR. JEFF GORMAN: My name is Jeff Gorman. Address  
2 is 8090 Auburn Road in the township. So what we do is our, we  
3 manufacture gaskets for performance aftermarket automotive and  
4 power sports motorcycle industry. We're growing at a pretty  
5 aggressive clip.

6 MR. IAFELICE: Right.

7 MR. JEFF GORMAN: A lot of the stuff that was  
8 produced off shore is now coming back to the United States.  
9 So part of our strategy was to actually buy this building,  
10 which we did a couple years ago, and then develop our own sort  
11 of campus of R and D and manufacturing. So this is kind of  
12 the next step of that where we're going to do warehousing  
13 there. We do a lot of stuff with O'Reilly Auto Parts. We  
14 have 37 skews in their planogram. All those are warehoused in  
15 the current building. And then we need to add onto that for  
16 more stuff for O'Reilly and then also some light  
17 manufacturing, so a few CNC mills and that type of thing.

18 And just to, I guess, to give a little more  
19 background, we have around \$6 million in backorder right now  
20 that we can't produce and that's growing every day. So we've  
21 been working on this for about a year already just trying to  
22 figure out what our strategy is and to get it to move forward.  
23 So we're excited to take the next step. But, yeah, this one  
24 specifically is light manufacturing and warehousing.

25 CHAIRMAN LINGENFELTER: Great, thank you.

26 MR. IAFELICE: Thank you.

27 MR. BOB GORMAN: Definitely tell them what our  
28 current employees are, how many.

29 MR. JEFF GORMAN: Yeah. We have around 135 current  
30 employees.



1 MR. IAFELICE: Very good.

2 CHAIRMAN LINGENFELTER: Good for you. Awesome, very  
3 good.

4 MR. JEFF GORMAN: Thank you.

5 CHAIRMAN LINGENFELTER: Continued success.

6 MR. NOVAK: What he said.

7 CHAIRMAN LINGENFELTER: Yeah. It's good to know  
8 when you need to step back.

9 MR. NOVAK: Yes.

10 (Mr. Lucas arrived.)

11 MR. IAFELICE: That's all I have, Mr. Chairman.

12 CHAIRMAN LINGENFELTER: Okay. Mr. Peterson.

13 MR. PETERSON: No. Rich asked the question that I  
14 was going to ask, so I am good.

15 MR. IAFELICE: Great minds.

16 CHAIRMAN LINGENFELTER: I have no questions.

17 MR. NOVAK: That means I did my job.

18 CHAIRMAN LINGENFELTER: Yeah, yeah.

19 MR. REPPERT: Make sure you put that in the minutes,  
20 Andy has no questions.

21 CHAIRMAN LINGENFELTER: I think it's in there  
22 automatically because I said it.

23 Thank you very much, appreciate the information and  
24 the presentation.

25 MR. NOVAK: Thank you for your time.

26 CHAIRMAN LINGENFELTER: Any discussion on the Zoning  
27 Commission at this point?

28 MR. REPPERT: No, Mr. Chairman.

29 MR. SCHINDLER: No, it's straightforward.

30 CHAIRMAN LINGENFELTER: Any further discussion?

1 MR. IAFELICE: No.

2 CHAIRMAN LINGENFELTER: Okay. I have no comments at  
3 this point in addition to. I guess, I would entertain a  
4 motion in the affirmative for Site Plan Review Application  
5 Number 49 based on the staff comments and stipulations.

6 MR. IAFELICE: Mr. Chairman, I will make a motion to  
7 grant a conditional approval for Application Number 049.

8 CHAIRMAN LINGENFELTER: Okay. We have a motion  
9 made.

10 MR. REPERT: I will second.

11 CHAIRMAN LINGENFELTER: Seconded. Heather, call the  
12 roll.

13 MS. FREEMAN: Mr. Iafelice?

14 MR. IAFELICE: Yes.

15 MS. FREEMAN: Mr. Peterson?

16 MR. PETERSON: Yes.

17 MS. FREEMAN: Mr. Reppert?

18 MR. REPERT: Yes.

19 MS. FREEMAN: Mr. Schindler?

20 MR. SCHINDLER: Yes.

21 MS. FREEMAN: Mr. Lingenfelter?

22 CHAIRMAN LINGENFELTER: Yes.

23 Okay. Let the record reflect we had five yeas, zero  
24 nays, no abstentions, and the Site Plan Review Application  
25 Number 49 has been granted.

26 MR. NOVAK: Thank you.

27 CHAIRMAN LINGENFELTER: Thank you.

28 Okay. So that takes care of Item Number 1 under New  
29 Business.

30 Item Number 2 would be the approval of the minutes

1 for the March 1st Zoning Commission meeting. Anybody have any  
2 corrections? Hiram?

3 MR. REPPERT: Mr. Chairman, I make a motion that we  
4 approve the meeting minutes for our March 1, 2022, Zoning  
5 Commission meeting as written.

6 CHAIRMAN LINGENFELTER: I have a motion made.

7 MR. SCHINDLER: I second.

8 CHAIRMAN LINGENFELTER: Frank seconds. All those in  
9 favor say aye. Opposed? Abstentions?

10 (Five aye votes, no nay votes.)

11 CHAIRMAN LINGENFELTER: Okay. Let the record  
12 reflect that we have five ayes, no nays, no abstentions. The  
13 minutes are approved and entered into the record.

14 Audience participation.

15 MR. REPPERT: No, you missed one.

16 CHAIRMAN LINGENFELTER: Oh, I am sorry. Yes, I did.  
17 I circled the wrong one. Correspondence report by the Zoning  
18 Commission members. Frank, any correspondence?

19 MR. SCHINDLER: I had this past week phone calls  
20 from my neighbors on a neighbor in our development who is  
21 parking an industrial trailer in their yard, which is a pretty  
22 good size trailer and it's pretty cumbersome. And in doing  
23 so, he's been backing it in in such a way that not only is it  
24 unsightly but he's been disturbing some of the people's grass  
25 on the other side when he pulls around and tries to back it  
26 in. So it's becoming a nuisance in that respect, too.

27 So in doing so, I brought to it the attention of our  
28 Zoning Department, Heather, and then Marty went over there  
29 that day and took some photographs of the trailer and the  
30 property, found out, basically, that currently that it's

1 against our regulations. So, right now, it's being looked at.  
2 He is going to be notified through the department and that's  
3 where we are right now, going through the process.

4 That's the only thing I had.

5 CHAIRMAN LINGENFELTER: Okay. Anything else, Frank,  
6 or that was it?

7 MR. SCHINDLER: That was it.

8 CHAIRMAN LINGENFELTER: Okay. Hiram?

9 MR. REPPERT: Nothing, Mr. Chairman.

10 CHAIRMAN LINGENFELTER: Mr. Iafelice?

11 MR. IAFELICE: Only what I reported on record  
12 sharing with the members about the Sheetz proposal that I read  
13 into the record. That's all, Mr. Chairman.

14 CHAIRMAN LINGENFELTER: Mr. Peterson?

15 MR. PETERSON: I have nothing.

16 CHAIRMAN LINGENFELTER: Nothing. I was caught in an  
17 email process back and forth with regards to a couple of  
18 issues in front of the township but nothing of major  
19 consequence. It was mostly with Morgan McIntosh and a  
20 resident discussing a couple of issues but nothing of major  
21 consequence. So that was all I had for correspondence.

22 Audience Participation component, do we have anybody  
23 on the phone? No. Anybody in the room? I don't see anyone  
24 here. So I am going to say that we don't have anybody that is  
25 interested in participating from an audience standpoint.

26 And the last item on the agenda is the election of a  
27 chairperson and vice chairperson for the next Zoning  
28 Commission session. I'll entertain any nominations.

29 MR. PETERSON: Mr. Chairman, I nominate Vice  
30 Chairman Rich Iafelice as chairman.

1 CHAIRMAN LINGENFELTER: Okay.

2 MR. REPERT: I will sec -- Do we second that? I  
3 second the nomination.

4 CHAIRMAN LINGENFELTER: Okay. Any comments on that?  
5 Anybody have any -- Rich, do you have any comments in defense  
6 of yourself?

7 MR. IAFELICE: None, none, look forward to it if the  
8 Board so approves.

9 CHAIRMAN LINGENFELTER: Okay, all right. So we have  
10 a motion made. I will entertain a second.

11 MR. REPERT: I did.

12 CHAIRMAN LINGENFELTER: Oh, you did, okay. I am  
13 sorry. I am sorry. Okay. All those in favor say aye.  
14 Opposed?

15 MR. IAFELICE: Abstain.

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

17 CHAIRMAN LINGENFELTER: One abstention, okay. So we  
18 have four ayes, no nays and one abstention on the election of  
19 Mr. Iafelice.

20 Now what about a vice chairperson? Who will be his  
21 vice chair?

22 MR. SCHINDLER: Mr. Chairman, I am going to nominate  
23 Rich Peterson as vice chair.

24 CHAIRMAN LINGENFELTER: Okay.

25 MR. IAFELICE: I will second that motion.

26 CHAIRMAN LINGENFELTER: Mr. Peterson, do you have  
27 any comments?

28 MR. PETERSON: No, I better not.

29 CHAIRMAN LINGENFELTER: Okay. We have a motion made  
30 and seconded. All those in favor say aye. Opposed? None

1 opposed. Are you going to abstain, Rich?

2 MR. PETERSON: I will abstain, yes, please.

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

4 CHAIRMAN LINGENFELTER: All right. So we have four  
5 ayes, no nays and one abstention. So Mr. Peterson will be the  
6 vice chairman moving forward and Mr. Iafelice will be the  
7 chairperson moving forward. I gladly relinquish my seat.

8 MR. IAFELICE: Gavel.

9 CHAIRMAN LINGENFELTER: And the gavel.

10 MR. REPERT: And the gavel.

11 CHAIRMAN LINGENFELTER: You can have them both for a  
12 whole year, so much fun.

13 Okay. The next Zoning Commission meeting will be  
14 May 3, 2022. We're already in May.

15 MR. REPERT: May.

16 CHAIRMAN LINGENFELTER: Geez oh man, hard to  
17 believe, hard to believe. Anything anybody would like to see  
18 on the agenda?

19 MR. IAFELICE: Other than, Mr. Chairman, without  
20 objection from the members, I am going to propose a new  
21 agenda, reorder, if you will. I think I shared it with  
22 Heather but I will share it with you subsequent to this, just  
23 reordering the agenda in what I think is a traditional order  
24 of business. Obviously, I will share it with you. If there  
25 is objection, let me know.

26 CHAIRMAN LINGENFELTER: Are you going to hold us in  
27 suspense until the next meeting?

28 MR. IAFELICE: Oh, well, typically, beginning with  
29 call to order, a roll call, the minutes, public participation,  
30 and then business, just changing the order a bit. I am used

1 to --

2 MR. REPERT: Why don't we have a Pledge, Pledge to  
3 the Allegiance, Pledge of Allegiance?

4 MR. IAFELICE: Only because you haven't had that  
5 practice, so it wasn't --

6 MR. REPERT: Well, we haven't had your other parts,  
7 right?

8 MR. IAFELICE: No, it's the same parts. I was just  
9 suggesting a reorder.

10 MR. SCHINDLER: Reorganization.

11 MR. IAFELICE: Reorganization. It's the same items.

12 MR. REPERT: Well, roll call, do we have a roll?  
13 Do we have a roll call today?

14 CHAIRMAN LINGENFELTER: No.

15 MR. REPERT: No.

16 MR. IAFELICE: No.

17 CHAIRMAN LINGENFELTER: I've been remiss.

18 MR. IAFELICE: But, no, it's just been what you've  
19 been using.

20 MR. REPERT: Okay.

21 MR. IAFELICE: And I am chairing other committees  
22 and boards and used to following an order like that. The  
23 other advantage, I believe, again, unless you object, is  
24 public participation, if it were for items that are on the  
25 agenda, perhaps somebody from the public might be able to  
26 share something that would be of value to us before that item  
27 comes up on a business and they see it on the agenda.  
28 Perhaps, they want to offer comment. There is an opportunity  
29 to do so before we have that item addressed on our business,  
30 on our agenda. So I found that might be a way to, at least,

1 allow the public to weigh in.

2 CHAIRMAN LINGENFELTER: I always thought that was  
3 awkward, too. I always thought that having the public  
4 participation after discussions, you know --

5 MR. IAFELICE: Yeah, right.

6 CHAIRMAN LINGENFELTER: I thought that was kind of  
7 awkward as far as the process was concerned. So I think  
8 that's a good, I think that's a very good idea.

9 MR. IAFELICE: Thank you, yeah.

10 CHAIRMAN LINGENFELTER: I think that's a very good  
11 idea. That way, like you said, if there is somebody here that  
12 wants to make a comment before we deliberate, it's always good  
13 to get, if somebody's got a fresh view or idea or whatever, I  
14 think it's good to get that information. So I think that's a  
15 great idea. I support that a hundred percent.

16 MR. IAFELICE: Great.

17 CHAIRMAN LINGENFELTER: Very good, well thought out.  
18 Okay. Anything else anybody else would like to  
19 discuss at this point?

20 MR. SCHINDLER: I just want to make a comment, Andy.  
21 You did a nice job this year.

22 CHAIRMAN LINGENFELTER: Thank you, thank you.

23 MR. IAFELICE: Oh, yeah, yes.

24 MR. SCHINDLER: Very good.

25 CHAIRMAN LINGENFELTER: Well, I have a good team. I  
26 have a good team surrounding me and I appreciate the  
27 opportunity to work with you guys. I think we do a very good  
28 job. I think we work very hard. I think we deliberate these  
29 issues sincerely and honestly and we have a good chemistry.  
30 We're able to disagree without becoming disagreeable and we're



1 able to agree on things. And I think, at the end of the day,  
2 the township wins and I think we all win as a part of that  
3 process. So I think that, you know, it's been a good group  
4 and I enjoyed chairing over the past year and I look forward  
5 to continuing on with you guys. It's going to be a good time.  
6 So thanks for the compliments.

7 Okay. With that, I will adjourn the meeting.

8 (Whereupon, the meeting was adjourned at 8:11 p.m.)

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1 STATE OF OHIO )  
2 COUNTY OF CUYAHOGA )

CERTIFICATE

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

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

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

17 IN WITNESS WHEREOF, I have hereunto set my hand  
18 and affixed my seal of office this 26th day of April 2022.

19 Melinda A. Melton-----  
20 Melinda A. Melton  
21 Registered Professional Reporter

22 Notary Public within and for the  
23 State of Ohio

24 My Commission Expires:  
25 February 4, 2023

