

CONCORD TOWNSHIP ZONING COMMISSION  
LAKE COUNTY, OHIO  
REGULAR MEETING

Concord Town Hall  
7229 Ravenna Road  
Concord, Ohio 44077

January 3, 2023  
7:00 p.m.

TRANSCRIPT OF PROCEEDINGS

Zoning Commission members present:

Rich Iafelice, Chairman  
Rich Peterson, Vice Chair  
Andy Lingenfelter, Member  
Frank Schindler, Member  
Ron Terriaco, Alternate Member

Also Present:

Heather Freeman, Planning & Zoning Director/Zoning  
Inspector  
Keith H. Petersen, Esq., Legal Counsel  
Celina Sotka, Assistant Zoning Inspector

**Melton Reporting**  
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7:01 p.m.

CHAIRMAN IAFELICE: Good evening. I am going to convene this Concord Township Zoning Commission meeting of Tuesday, January the 3rd, 2023.

Roll call, members, Heather, please.

MS. FREEMAN: Mr. Schindler?

MR. SCHINDLER: Present.

MS. FREEMAN: Mr. Lingenfelter? He will be running late.

Mr. Peterson?

MR. PETERSON: Here.

MS. FREEMAN: Mr. Iafelice?

CHAIRMAN IAFELICE: Here.

MS. FREEMAN: And Mr. Terriaco?

MR. TERRIACO: Here.

CHAIRMAN IAFELICE: Thank you, Heather.

As Heather noted, members, Andy is delayed, so it could be up to 15 minutes, but we will begin our proceedings so as not to impact others here present and our agenda as well.

The next item on our agenda is the approval of the minutes from December the 6th, 2022. We don't have Hiram here this evening. His scrutiny is not present in reviewing the minutes. Any comments from any of the members on the minutes?

MR. TERRIACO: I do not.

MR. SCHINDLER: No, Mr. Chairman.

MR. PETERSON: I wasn't here.

CHAIRMAN IAFELICE: Wasn't here.

I don't either. There being no comments on the minutes, can I get a motion for approval?

1 MR. SCHINDLER: Mr. Chairman, I so move that we  
2 accept the minutes as written.

3 CHAIRMAN IAFELICE: We have a motion for approval.

4 MR. TERRIACO: Approval, second.

5 CHAIRMAN IAFELICE: And we have a second. All in  
6 favor say aye.

7 MR. PETERSON: And I abstain.

8 CHAIRMAN IAFELICE: Any opposed? None.

9 (Three aye votes, no nay votes, one abstention.)

10 CHAIRMAN IAFELICE: The minutes stand approved for  
11 December the 2nd -- 6th, 2022.

12 The next item on our agenda is Correspondence. Any  
13 correspondence received by any of the members? Frank?

14 MR. SCHINDLER: No, Mr. Chairman.

15 CHAIRMAN IAFELICE: Ron?

16 MR. TERRIACO: Nothing, sir.

17 CHAIRMAN IAFELICE: Nothing.

18 MR. PETERSON: I had nothing either.

19 CHAIRMAN IAFELICE: And I did not as well.

20 Moving along, Public Participation. This is an  
21 opportunity for anyone in the public to ask questions of the  
22 board or comment on any issue on the agenda for this evening.

23 (No response.)

24 There being no participation from the public, we are  
25 going to move on to our first item on New Business on the  
26 agenda and we have the applicant and the representatives  
27 present for the Amended Site Plan Review Application  
28 Number 55, submitted by Marous Brothers Construction, on  
29 behalf of the property owner, IN9 Group LLC, for a proposed  
30 ice cream parlor and car wash to be located on Crile Road and

1 Old Crile Road on a parcel known as current parcel number  
2 08-A-020-0-00-048-0.

3 With that, I would ask the applicant and/or its  
4 representatives to come to the podium and present the amended  
5 site plan for the board's consideration.

6 MR. GREEN: Good evening.

7 CHAIRMAN IAFELICE: Good evening.

8 MR. GREEN: How is everybody?

9 CHAIRMAN IAFELICE: Good.

10 MR. SCHINDLER: Fine, thank you.

11 CHAIRMAN IAFELICE: Happy New Year.

12 MR. GREEN: Happy New Year. Mark Green, from Marous  
13 Brothers Construction, 36933 Vine Street, Willoughby, Ohio.  
14 So we had, on our submittal, we had really five items on the  
15 agenda list. And talking with Heather today, the first one,  
16 which was reviewing all the conditions for, that were on the  
17 conditional approval last time we came through, was really a  
18 breach of protocol. That's something that's more handled  
19 between Heather and myself. So if it's okay with you, I  
20 didn't want to burden you guys with going through 20 different  
21 items there unless you really wanted to go through them. We  
22 can skip over that and get to really the site plan changes  
23 that occurred. Up to you if you what to or not.

24 CHAIRMAN IAFELICE: At least for the record,  
25 Heather, could we have something for the record? We could  
26 have some summary of that either from Mark or yourself in  
27 terms of all these items that are really approved or I should  
28 say accepted by the applicant.

29 Is that what you're saying, Mark?

30 MR. GREEN: Yes. There is a letter of all of our

1 responses.

2 CHAIRMAN IAFELICE: Yes.

3 MR. GREEN: Heather has issued a response with some  
4 additional items as well. I just thought that, in the essence  
5 of time for you, you know, since it was more of a proof thing  
6 for the Zoning Commissioner to approve once we have the  
7 conditions in place.

8 CHAIRMAN IAFELICE: Okay. So what the applicant is  
9 referring to is a letter -- correct me if I am wrong -- of  
10 Tuesday, December the 20th, addressed to Heather, in  
11 responding to the Zoning Commission review comments and  
12 Heather's comments. It is provided to us in our documents  
13 here and it enumerates responses to items, the 16 items, plus  
14 subparts to all of them.

15 MR. GREEN: Yes.

16 CHAIRMAN IAFELICE: From my read, it indicates  
17 acceptance of all the items on those responses except there  
18 are some noted items. At least I will comment unless the  
19 board members wish but maybe I will begin, just a couple, if I  
20 may. Item Number 2, Heather's comment was to consider adding  
21 bike racks near the ice cream parlor. The response is the  
22 bike racks may be provided at a future time.

23 MR. GREEN: Yeah.

24 CHAIRMAN IAFELICE: Just bringing that to the  
25 board's attention.

26 Heather, the reason for your suggestion, if you  
27 could let the board --

28 MS. FREEMAN: Well, that, okay. So just, these were  
29 the previous 16 conditions that were placed on the approval --

30 CHAIRMAN IAFELICE: Correct, correct.

1 MS. FREEMAN: -- at the November 1, 2020 (sic),  
2 meeting. These are the responses to those conditions.

3 CHAIRMAN IAFELICE: Correct.

4 MS. FREEMAN: And at the time, and in our Zoning  
5 Resolution in the Capital District, one of the items we have  
6 in there is for commercial properties to consider putting bike  
7 racks at their establishment.

8 CHAIRMAN IAFELICE: To consider.

9 MS. FREEMAN: That was why one of the original  
10 recommendations was to add that as a condition.

11 CHAIRMAN IAFELICE: Okay. Any of the board members  
12 concerned with that response?

13 MR. SCHINDLER: No, Mr. Chairman.

14 MR. TERRIACO: Not here.

15 CHAIRMAN IAFELICE: Okay. Anything else you might  
16 note on the first page of that? I see none.

17 MR. SCHINDLER: None.

18 MR. TERRIACO: No, sir.

19 CHAIRMAN IAFELICE: Second page, I see nothing as  
20 well. Anybody else?

21 (No response.)

22 The third page, I see nothing as well. That, pretty  
23 much, is providing the responses to the comments as  
24 appropriate all the way through Item 14. Items 15 -- A number  
25 of the items there respond to the fact that the changes from  
26 underground detention to at-grade detention. So the comments  
27 don't have -- are not having to be addressed since the change  
28 in the stormwater detention design has been what is being  
29 submitted for the amended site plan here this evening.

30 Item 15(I), if you could, I note here the sight

1 distance analysis is in progress and will be provided. I may  
2 have missed it. Mark, do we --

3 MR. GREEN: You do not have it.

4 CHAIRMAN IAFELICE: Do not have the sight distance  
5 analysis.

6 MR. GREEN: We just got it over the holidays and  
7 were going to forward it to Heather tomorrow.

8 CHAIRMAN IAFELICE: Okay. So this is, if you  
9 recall, board members, if you looked at it, Rich, it's the  
10 sight distance on the driveway access to Crile Road, given the  
11 geometry of Crile Road and the potential of, the ability for  
12 oncoming or turning vehicles to see oncoming vehicles on  
13 Crile. So that analysis is forthcoming.

14 MR. GREEN: Yes.

15 CHAIRMAN IAFELICE: Thank you.

16 MS. FREEMAN: Mr. Chairman.

17 CHAIRMAN IAFELICE: Yes, Heather.

18 MS. FREEMAN: That report needs to go to Lake County  
19 Engineer. That was their submission.

20 MR. GREEN: True. Sorry.

21 CHAIRMAN IAFELICE: It's going to Traci?

22 MS. FREEMAN: Yeah, that needs to go to Traci.

23 CHAIRMAN IAFELICE: Okay, I figured that.

24 So relative to that letter, I see nothing else of  
25 concern. Anything, any other importance on this?

26 MR. SCHINDLER: No, Mr. Chairman. I know I looked  
27 it over and, based on what we discussed last time, it looks  
28 like everything has been addressed.

29 CHAIRMAN IAFELICE: Addressed, okay, very good.

30 Okay. Subsequent do that, if you can address, Mark,

1 then the correspondence of December the 22nd.

2 MR. GREEN: Sure, thank you.

3 CHAIRMAN IAFELICE: Please.

4 MR. GREEN: I have gone through that one. There  
5 were a couple things on the site plan that we had changed  
6 since we last came in. The first one and probably the easiest  
7 of them was adding four parking spots to the ice cream parlor  
8 parking lot. And if you're looking at the site plan,  
9 hopefully, I did a decent job of plotting it for you. Yes,  
10 yeah, so whether you look at the architectural site plan or  
11 the civil site plans, there is four employee spots off the  
12 back side of the, off the back side of the building. And that  
13 was just, we had a discrepancy between how we calculated it  
14 and how it was supposed to be calculated. So we need to add a  
15 few spots for parking so that met the criteria. We put them  
16 there.

17 The big issue was we originally had the underground  
18 storage tanks. There was a lot of discussion about, you know,  
19 maintenance and all those other things, a lot of the questions  
20 that were asked. We were able to design on-grade detention  
21 and get rid of the underground storage system. We did have  
22 enough volume to be able to do that. So that was one of the  
23 big changes and the, I believe, all the civil plans show you  
24 the location of that. It's kind of in between the two  
25 buildings up on the east side of the lot. So that was really  
26 the big change.

27 There was comments about certain catch basins not  
28 connected in. Everything is all connected in. There were  
29 storm roof drain questions on the car wash about whether they  
30 drain directly into the drainage ditch. They do not. They



1 connect now into the storm drainage system which empties into  
2 the detention. So all of that has been resolved.

3 Those were the two major issues. They were not  
4 major but the two changes we had to the site plan. And the  
5 other issue we just --

6 CHAIRMAN IAFELICE: May I, Mark?

7 MR. GREEN: Sure.

8 CHAIRMAN IAFELICE: Since we are hitting those two,  
9 any comments from the board on detention? You have seen the  
10 design. The only one I had, Mark, looking at the grade from  
11 the east, it's approximately 7 to 8 foot drop here. Is there  
12 any concern with future pedestrians, vehicles that that grade  
13 drop, that slope in terms of any type of bollards or  
14 guardrail? Is there any concern with safety?

15 MR. GREEN: There's a gentleman here from Polaris  
16 can step up and maybe answer that one.

17 He's talking about --

18 MR. YAGERSZ: Yeah, so basically --

19 MR. GREEN: You have to state your name.

20 MR. YAGERSZ: I am Bob Yagersz, with Polaris  
21 Engineering, address is 34600 Chardon Road, Suite D,  
22 Willoughby Hills 44094.

23 Yeah, so it kind of created a flat berm up along  
24 there. It does fall down but we did main a 4 to 1 slope. So,  
25 plus it is a dry basin and not a wet basin. We do have some  
26 micropools at floor base which will hold water at times but  
27 they're small. It's not, it's not going to be a wet pool. So  
28 at least there is that factor of safety there. We tried to  
29 create some level spots off the edge of the pavement and then  
30 we did provide, where there is parking in the car wash, some

1 concrete wheel stops. So, but if, you know, if there feels to  
2 be a need for it, you know, we could add some posts or  
3 bollards or --

4 CHAIRMAN IAFELICE: You've kind of answered my  
5 question. It's 4 to 1 slope.

6 MR. YAGERSZ: Okay, yeah, yeah. We tried to be a  
7 little bit, you know, because of the close proximity of the  
8 pavement and the sidewalk.

9 CHAIRMAN IAFELICE: Yeah.

10 MR. YAGERSZ: We did a 4 to 1. So --

11 CHAIRMAN IAFELICE: Okay. Thank you for that.  
12 Let the record show Andy has joined us here.  
13 Thanks for joining us here, Andy.

14 MR. LINGENFELTER: Sorry I am late.

15 CHAIRMAN IAFELICE: No worries, no worries.

16 MR. LINGENFELTER: I called Heather and let her  
17 know. Just didn't want to just not appear.

18 CHAIRMAN IAFELICE: Yeah, we got word.

19 MR. LINGENFELTER: So I apologize for my tardiness.

20 CHAIRMAN IAFELICE: We're in the, we're going  
21 through the correspondence of December the 22nd and the items  
22 for the amended site plan.

23 MR. LINGENFELTER: Okay.

24 CHAIRMAN IAFELICE: At this point, the applicant has  
25 described the changes adding the parking spaces to the ice  
26 cream parlor and the change in detention from underground to  
27 at-grade.

28 I presume this is being or been submitted to the  
29 County Engineer for --

30 MR. GREEN: Yes, yes, that's correct.

1           CHAIRMAN IAFELICE:   Okay.  Do we have a response  
2 from Traci yet?

3           MS. FREEMAN:   Steve Houser, from Stormwater --

4           CHAIRMAN IAFELICE:   Or Steve.  Sorry.

5           MS. FREEMAN:   -- actually is reviewing that.  I did  
6 see some other comments on this new design.  He did forward me  
7 those.  So they're still going back and forth on the final  
8 approval as far as I know.

9           CHAIRMAN IAFELICE:   Okay.  Anything of concern?

10          MS. FREEMAN:   Not that I -- no.

11          CHAIRMAN IAFELICE:   Okay.  Sorry.

12          MS. FREEMAN:   Sorry.  I don't have --

13          CHAIRMAN IAFELICE:   Engineer to engineer.

14          MR. YAGERSZ:   We did speak with Steve and there was  
15 just a couple of comments that he had that we need  
16 clarification on, so we're going to get everything --  
17 Everything is good, so we're getting back to him this week.  
18 So we should be all set.

19          CHAIRMAN IAFELICE:   Very good, very good.

20          Rich had a question, Mark, on the, whether the  
21 pick-up booth, is this from the prior -- Go ahead.

22          MR. PETERSON:   Did the plan get flipped from the  
23 last time we saw it?  I was somehow thinking that the patio  
24 was on the right side of the drawing and not closest to the  
25 drive.  It's always been to the, where it is?

26          MR. GREEN:   Yes.

27          MR. PETERSON:   I thought the pick-up window was  
28 going to be where you came in off of Crile Road.

29          MR. GREEN:   No, it was going to be on that south  
30 side of the building.  Sorry.

1 MR. PETERSON: Okay. No, that's not a problem. I  
2 just remembered it differently.

3 CHAIRMAN IAFELICE: Yeah. At the time last month,  
4 Rich, or two months ago, last meeting, the drive-thru needed  
5 the variance which the BZA granted.

6 MR. PETERSON: Right, exactly, and we let it go  
7 ahead without that with the variance later so we wouldn't  
8 delay the project.

9 CHAIRMAN IAFELICE: Yeah, we did some things, took  
10 off a note or two and took care of it that way.

11 MR. GREEN: We did.

12 CHAIRMAN IAFELICE: So it worked out.

13 MR. GREEN: It did.

14 CHAIRMAN IAFELICE: All right. Okay, please  
15 continue then.

16 MR. GREEN: The last two items that we submitted  
17 for, one was the sidewalk and the associated fire hydrant work  
18 that's associated with the sidewalk. We really wanted to come  
19 back and kind of continue the discussion.

20 And, Heather, correct me if I am wrong but I believe  
21 Zoning Commission has the authority to provide, I should say,  
22 leniency on whether we need to put in the sidewalk or not  
23 within the zoning code. It does state that?

24 MS. FREEMAN: Yes.

25 MR. GREEN: So we wanted to have the dialogue again.  
26 It's a long length of sidewalk there and our civil engineer  
27 has studied this and the entire area is swale drainage, right?  
28 So we have swale drainage, you have the fire hydrants that are  
29 right on the edge of the right-of-way on the property line,  
30 which is right where the sidewalk goes. So in order to put

1 that sidewalk there, we've got to relocate those hydrants and  
2 we only have two options: One, either put them on private  
3 property, which I don't necessarily think we want to do; and  
4 the other is they get relocated down in the swale and that  
5 just doesn't make any sense.

6 So we have some hardship on what do we do with these  
7 fire hydrants. We've just been fumbling, looking through the  
8 township at, you know, where are there public right-of-way  
9 sidewalks, you know? If there are pedestrian conveniences in  
10 the area, are there public sidewalks there? Are there any in  
11 the Capital District? There just isn't any. It's a, you  
12 know, it's rural, it's car based, commuter based.

13 And we're just asking that, at a future point when  
14 there is a certain density in the Capital District, can  
15 sidewalks and all that stuff come back and be assessed at a  
16 future time instead of making this a first cost for the  
17 construction project? So we were looking at trying to get  
18 some leniency on that and we just wanted to revisit that with  
19 everybody. We were just struggling with having to provide  
20 that as part of the project.

21 MR. SCHINDLER: A question: Have you touched base  
22 with our Fire Department to see if there would be issues  
23 relative to the fire hydrants?

24 MR. GREEN: The architect I have working on this has  
25 reached out to them today. They have, we have not gotten in  
26 touch with them yet. That's one of the things we have to talk  
27 to them about.

28 MR. SCHINDLER: My biggest concern would be if they  
29 found there was an objection to it, as far as I am concerned.

30 MR. GREEN: Gotcha.

1 MR. SCHINDLER: As long as they can get to it really  
2 accessible and not have a problem -- heaven forbid there was a  
3 fire -- you know, that would be my concern.

4 MR. GREEN: Okay. From our perspective, we have to  
5 look at the, putting them on the private property side and it  
6 does it become a private fire hydrant at that point? Is the,  
7 does the township still have jurisdiction to go and maintain  
8 those? Does it become a private property owner's obligation  
9 to maintain them now that they're on private property? We  
10 were just, it's something that probably the Fire Department  
11 can help us with.

12 MR. PETERSON: Ron, would you know?

13 MR. TERRIACO: Two sources, the two sources would be  
14 Painesville Water Department and Concord Fire Department, to  
15 reach out to them and see what they would approve or not  
16 approve as far as relocating them. There is a large amount of  
17 hydrants in that short span, so there is six hydrants there.

18 As far as moving it to private property, it would  
19 then become the private property owner's responsibility to  
20 maintain those hydrants. Anything on the road right-of-way is  
21 all the fire department, any fire department.

22 MR. GREEN: Which we wouldn't want.

23 MR. TERRIACO: Right. But it can -- It is possible.  
24 So I would reach out to, like I said already, the Fire  
25 Department, but the people that actually own the fire hydrants  
26 is Painesville Water Department is the actual water purveyor.

27 MR. GREEN: All right, then both of them. Thank  
28 you, great.

29 MR. LINGENFELTER: Well, it's my understanding that,  
30 if we eliminate the need for the sidewalk, there is no need to

1 move the fire hydrants, correct?

2 MR. GREEN: That is correct.

3 MR. LINGENFELTER: The fire hydrant issue becomes  
4 moot.

5 MR. GREEN: Correct.

6 MR. PETERSON: And I agree. I look at it and say  
7 the sidewalk is part of a future plan where we would have  
8 people walking. If the sidewalk goes in, I don't think anyone  
9 is going to walk on it because it doesn't connect to anything.  
10 All the way down Crile Road, there are no sidewalks. At some  
11 point in time, to your point, if it were required, would you  
12 be willing to put it in at that time?

13 MR. GREEN: Yes.

14 MR. PETERSON: And attest to that in writing and so  
15 forth?

16 MR. GREEN: I have to defer to my clients but, yes.

17 MR. PETERSON: That would satisfy me because, at  
18 this point in time, I don't think that sidewalk does anything  
19 for the project and it doesn't do anything for the community  
20 because nobody is going to walk on it.

21 MR. LINGENFELTER: That was going to be my, that was  
22 going to be my question would be, if we were to give you the  
23 leniency or to allow you to do this without the construction  
24 of the sidewalk and then, at some point in time down the road,  
25 whether it's a few years, ten years, whatever, when this whole  
26 project becomes a reality and they start putting in walkways  
27 and sidewalks and everything else, would you be receptive to  
28 putting that in at that point in time? If your answer is yes,  
29 then I don't see any value in a sidewalk that goes to nowhere.

30 MR. GREEN: Our answer will be yes, we agree.

1 MR. LINGENFELTER: I don't know. Heather, would  
2 that be -- I guess that would be a question for Heather or a  
3 question for legal counsel. Would they need to put that in  
4 writing or put that in their proposal at some point in writing  
5 to say that they would be willing to do that or does it  
6 matter?

7 MR. PETERSEN: I would just be worried about the  
8 ambiguity of, you know, like you said, it could be a couple  
9 years, it might be much longer. So I don't know how that  
10 would be addressed in a way that would give clarity to  
11 everyone down the road. So I am not sure if there is a good  
12 way to put that into writing that everyone would be satisfied  
13 with.

14 CHAIRMAN IAFELICE: Thank you for those comments. I  
15 respect the position here. I have a little different  
16 perspective on this. The sidewalk has got to start somewhere.  
17 In my view, this is a requirement of the Capital District the  
18 developer knows going in. It's part of the development cost.  
19 It's a requirement of the district. It's a plan. Yes, it  
20 doesn't currently go anywhere but the idea has got to start  
21 somewhere. That's my first thought in terms of sidewalk.

22 The second is just from a physical installation  
23 perspective, the sidewalk can easily be cut out around the  
24 hydrant. I don't see that as a major to-do. Hydrants can be  
25 moved pretty easily but without moving it, this is calling for  
26 a 6 foot wide. Perhaps the leniency could be to vary the  
27 width, reduce the width or vary the width around the hydrant  
28 so we're not moving the hydrant. We just reduce, do a cutout  
29 around the hydrants.

30 But, in my view, I have difficulty. Precisely what



1 legal counsel said, if you don't do it now, I don't quite  
2 accept the fact that we can get it done at a future time.  
3 This is the time it's being developed. It seems to make  
4 sense. It's a known, it's known to be. When you look at the  
5 project, you know where the hydrants are located. In the  
6 documentation here, the one line was installed before the  
7 Capital District was even formed. So it really wasn't the  
8 township planning and zoning that, "Hey, why don't we move the  
9 hydrants to accommodate this future sidewalk." But it is part  
10 of it. It was, it's been known. So that's my, that's my  
11 feeling on it is if we could consider some reduction or cutout  
12 to, first of all, not move the hydrants or reduce the width of  
13 it.

14 Six foot, I believe, is in the code, Heather, six  
15 foot wide?

16 MS. FREEMAN: No, there was no specified width in  
17 the code. I apologize. Sorry.

18 CHAIRMAN IAFELICE: Okay.

19 MS. FREEMAN: The Sheetz project that's going to be  
20 happening on Capital --

21 CHAIRMAN IAFELICE: Is 6.

22 MS. FREEMAN: -- will be doing 6 foot.

23 CHAIRMAN IAFELICE: Yes, I saw that. So, anyhow,  
24 that's, those are my thoughts on it.

25 Relative to the magnitude of the cost of this  
26 development, you show in the plans to provided it as an  
27 alternate bid. For me, it's not acceptable. For me, it  
28 should be built. It's the beginning of what was anticipated  
29 to be a walkable area of the community.

30 MR. GREEN: We only have it as an alternate bid

1 there so we can get a line item price for it.

2 CHAIRMAN IAFELICE: Oh, okay.

3 MR. GREEN: It's not a matter of doing or not doing.

4 CHAIRMAN IAFELICE: Okay.

5 MR. GREEN: We were hoping we would be successful in  
6 the conversation, yes, but it was just more of line item  
7 pricing.

8 CHAIRMAN IAFELICE: Okay.

9 MR. PETERSON: To me, it doesn't, the sidewalk just  
10 doesn't pass a common sense test in my mind at this point in  
11 time. If we're going to have a skateboard competition or  
12 something like that, but nobody is going to walk on that at  
13 this point in time. Couldn't we construct it in such a way  
14 that until the board, the zoning board deems it required?  
15 Then that would be up to us to notify them at that point in  
16 time, whether it is two years or five years down the road,  
17 that it is time now because we have further development that  
18 we are going to need that sidewalk.

19 But for the foreseeable future, nobody is going to  
20 walk on that sidewalk. I understand your point about it has  
21 to start somewhere but, again, who is going to walk on it and  
22 where are they going to walk to? It doesn't seem like common  
23 sense to me at this point in time. And we ought to be smart  
24 enough to figure out some language that says when is the  
25 correct point in time and what actions have to be taken at  
26 that point in time to work with the ice cream store and get  
27 that put in. Just my thought.

28 CHAIRMAN IAFELICE: Thank you, Rich, thank you.

29 Anything else, comment?

30 MR. SCHINDLER: On the point that Rich made, you're

1 right. You know, if they put it in now, they still have to  
2 maintain it. And two, three years down the road, especially  
3 we know living in Lake County with snow and ice and throwing  
4 salt down and everything, the thing would be badly  
5 deteriorated and then they'd have to redo it all over again  
6 down the road. So, and your point, well-taken.

7 MR. PETERSON: Is there a shoveling requirement if  
8 there is a sidewalk? I don't know?

9 MR. SCHINDLER: Well, yeah, both points well, both  
10 points well taken, but I would go either way.

11 CHAIRMAN IAFELICE: Any comments, Ron?

12 MR. TERRIACO: My comment or question would be, so  
13 we give the time period. We hit that time period to do the  
14 sidewalk. Will the conversation be the same, that you may not  
15 want to do the sidewalk? Will we then show a hardship or  
16 anything like that? Because you say now that the fire  
17 hydrants are blocking the sidewalk install. So will we be  
18 faced with the same conversation when it's time to put the  
19 hydrants in?

20 MR. GREEN: I thought the idea of notching around  
21 those so you don't have the fire line issue, whenever the time  
22 is that the sidewalks go in, is probably a good idea.  
23 Otherwise, those hydrants get in kind of a wonky place.

24 CHAIRMAN IAFELICE: Right.

25 MR. GREEN: So that would be a good idea. It's just  
26 a matter of, you know, what the legal language is for it to  
27 happen in the future.

28 CHAIRMAN IAFELICE: These are the only two comments,  
29 the only two items that are outstanding then, I believe.  
30 Everything else --

1 MR. GREEN: Yeah, that was everything.

2 CHAIRMAN IAFELICE: In terms of amending the site  
3 plan.

4 MR. GREEN: Yes.

5 CHAIRMAN IAFELICE: So before we, before we end it,  
6 this discussion about the sidewalk condition and water line, I  
7 want to ask the board if there is any other issues associated  
8 with the amended site plan that you want to ask the applicant  
9 about?

10 MR. PETERSON: I have one and it's just a concern,  
11 it might be nothing, but I know it's a little different at  
12 like East Coast Custard. But where you come up the side to  
13 the drive-in window and then you come around to your pick-up,  
14 you order and then you come around to pick up, there is kind  
15 of a cross traffic point there. As you exit the pick-up  
16 window, you possibly could have cars coming around that are  
17 going to the parking lot and not getting in line, and is there  
18 any potential there for fender-benders where the person is  
19 pulling away from the window at the same time someone else is  
20 driving back to get into a parking spot? It just seemed kind  
21 of a little bit of a congestion there. And I can't tell by  
22 scale. It looks wide enough but it's hard to say.

23 MR. GREEN: It is going to be 24 foot wide, so it is  
24 wide enough.

25 MR. PETERSON: At that curb, it's 24 feet, okay, so  
26 it may not be an issue.

27 CHAIRMAN IAFELICE: It is 24.

28 MR. GREEN: It's a pretty common thing at McDonald's  
29 and other ones. When you're pulling away, you've got to keep  
30 your eyes, you know, on the passenger side of the car for

1 somebody whipping around there.

2 MR. PETERSON: I know I have certainly experienced  
3 that before. So, okay.

4 CHAIRMAN IAFELICE: Mine is related a little bit.  
5 Heather, is signage a separate review with you? Is that  
6 correct?

7 MS. FREEMAN: Yes.

8 CHAIRMAN IAFELICE: So, presumably, there would be  
9 an egress signage that, or some type of signage that that's  
10 exit only on Old Crile?

11 MR. GREEN: That is correct.

12 CHAIRMAN IAFELICE: Right?

13 MR. GREEN: Yes.

14 CHAIRMAN IAFELICE: Okay, okay. So ingress on the  
15 north, egress on the south?

16 MR. GREEN: Yes, that's correct.

17 CHAIRMAN IAFELICE: That's the only other question I  
18 had besides the sidewalk and the hydrant issues.

19 Frank, any other questions?

20 MR. SCHINDLER: No, Mr. Chairman.

21 CHAIRMAN IAFELICE: Ron?

22 MR. TERRIACO: No, sir.

23 CHAIRMAN IAFELICE: Nothing else.

24 Andy, anything else?

25 MR. LINGENFELTER: No.

26 CHAIRMAN IAFELICE: Okay. So I think at this, at  
27 this point, I'm looking for a motion to address this, the  
28 sidewalk addition here that the applicant is requesting.

29 MS. FREEMAN: Excuse me, Mr. Chairman.

30 CHAIRMAN IAFELICE: Yeah, oh, I am sorry.

1 MS. FREEMAN: That's okay.

2 CHAIRMAN IAFELICE: I take that back. I wanted to  
3 ask Heather for input. Thank you.

4 MS. FREEMAN: I guess, before you would entertain a  
5 motion, I just wanted to point out that we did do a full  
6 zoning review on the amended site plan to make sure that the  
7 amended site plan was still in compliance with not only the  
8 previous 16 conditions that were placed on the approval but  
9 with the changes that they were proposing this evening. There  
10 are still some conditions the staff is recommending that,  
11 should you grant favorably on the amended site plan review,  
12 that we add in so we can make sure that we're still in  
13 compliance with zoning, and this was outlined in the memo to  
14 you from me dated December 28th.

15 The only one that I will point out that I was not  
16 real clear on was Number 10, which was kind of in this  
17 discussion on the sidewalk. I did not raise that in a way,  
18 one way or the other. So I think, if you agree with the other  
19 conditions and the applicant can meet all the other  
20 conditions, that you would want to either strike 10 or restate  
21 that the way that, however you want to deal with the sidewalk  
22 issue.

23 CHAIRMAN IAFELICE: Thank you. Yeah, no, thank you,  
24 Heather.

25 So relative to that -- And I apologize. It's  
26 sitting here right in front of me, your December 28th memo. I  
27 apologize, Heather.

28 MS. FREEMAN: That's okay.

29 CHAIRMAN IAFELICE: So you've reviewed these review  
30 comments.

1 MR. GREEN: Yes.

2 CHAIRMAN IAFELICE: And those are acceptable?

3 MR. GREEN: Yeah. No issues.

4 CHAIRMAN IAFELICE: No issues. So this is relative  
5 to Heather's amended site plan review application that is  
6 dated December 28th to the Zoning Commission members.

7 Thank you, Heather, for bringing that up.

8 MS. FREEMAN: You're welcome.

9 CHAIRMAN IAFELICE: It is sitting right in front of  
10 me.

11 MS. FREEMAN: That's okay. There's a lot of  
12 letters.

13 CHAIRMAN IAFELICE: So pursuant to Number 10, as  
14 stated earlier, the sight distance analysis is yet to be  
15 submitted for the driveway on Crile. As Heather pointed out,  
16 Number 10, that comment could be reworded through a motion or  
17 whatever the wishes of the board is relative to that. For the  
18 record, I will oppose that, as I stated earlier, for the  
19 reasons I stated.

20 So any motion, any consideration from the members of  
21 the board on the sidewalk and/or hydrant relocation?

22 MR. PETERSON: Mr. Chairman, I will make a motion.  
23 I am going to try to make a motion here. I make a motion to  
24 waive the sidewalk requirement at this time until such time  
25 it's deemed necessary by the Zoning Commission, and such  
26 agreement at this time shall be in writing and signed and  
27 agreed to by the applicant, if that makes sense.

28 CHAIRMAN IAFELICE: We have a motion, which I won't  
29 repeat but I think we have that on the record. Is there a  
30 second to Rich's motion?

1 MR. SCHINDLER: I second, Mr. Chairman.

2 CHAIRMAN IAFELICE: We have a second. Roll call,  
3 please, Heather.

4 MS. FREEMAN: Okay.

5 Mr. Peterson?

6 MR. PETERSON: Yes.

7 MS. FREEMAN: Mr. Lingenfelter?

8 MR. LINGENFELTER: Yes.

9 MS. FREEMAN: Mr. Schindler?

10 MR. SCHINDLER: Yes.

11 MS. FREEMAN: Mr. Terriaco?

12 MR. TERRIACO: Yes.

13 MS. FREEMAN: And Mr. Iafelice?

14 CHAIRMAN IAFELICE: No.

15 Okay. Obviously, that's going to not impact the  
16 hydrants as they sit here as well.

17 MR. PETERSON: Not at this time.

18 CHAIRMAN IAFELICE: Is there anything else to bring  
19 forward here for the amended site plan?

20 MR. GREEN: That was it.

21 CHAIRMAN IAFELICE: Heather, is there anything I  
22 overlooked?

23 MS. FREEMAN: Well, I am a little -- I think we need  
24 another motion then to grant, actually, the conditional  
25 approval on the plan if you, if everyone is in agreement with  
26 the stipulation 1 through 9 and 11 through 15 then. I guess  
27 skip 10 if that's the easier way to do it. But I think we  
28 need to actually, you know, vote on a conditional approval on  
29 the amended site plan. So with your previous motion, you're  
30 allowing them to not move forward with the sidewalk at this



1 time, and I don't know how we will deal with the  
2 enforceability of that in the future. But as far as the plan  
3 itself, I would like -- We need a motion on that.

4 CHAIRMAN IAFELICE: Yeah, I question the  
5 enforceability of that as well. Just my colleagues here, I  
6 respect your opinion on it but I question the enforceability  
7 of it. But thank you, again, for bringing that up.

8 Per the December 28th, the staff is recommending a  
9 conditional approval of the amended site plan with the 15,  
10 minus Number 10, conditions that are stipulated on  
11 December 28th. So I am looking for a motion from, for that  
12 conditional approval.

13 MR. PETERSON: Okay, I will do it. Mr. Chairman, I  
14 make a motion to approve the conditional or conditionally  
15 approve the project going forward with the exception of the  
16 previous waiver of the 6 foot sidewalk at this time.

17 CHAIRMAN IAFELICE: We have a motion for a  
18 conditional approval of the amended site plan excepting Number  
19 10 in the December 28th memorandum.

20 MR. SCHINDLER: I second, Mr. Chairman.

21 CHAIRMAN IAFELICE: We have a second and a motion.  
22 Heather, roll call, please.

23 MS. FREEMAN: Mr. Schindler?

24 MR. SCHINDLER: Yes.

25 MS. FREEMAN: Mr. Lingenfelter?

26 MR. LINGENFELTER: Yes.

27 MS. FREEMAN: Mr. Peterson?

28 MR. PETERSON: Yes.

29 MS. FREEMAN: Mr. Iafelice?

30 CHAIRMAN IAFELICE: No.

1 MS. FREEMAN: Mr. Terriaco?

2 MR. TERRIACO: Yes.

3 CHAIRMAN IAFELICE: The amended site plan stands  
4 approved.

5 MR. GREEN: Thank you very much.

6 CHAIRMAN IAFELICE: Thank you.

7 MR. GREEN: Have a good evening.

8 CHAIRMAN IAFELICE: Thank you, Heather, for keeping  
9 me on track.

10 MS. FREEMAN: Okay, you are welcome.

11 MR. PETERSON: Keeping everyone on track.

12 CHAIRMAN IAFELICE: All right. Moving on to Old  
13 Business on our agenda this evening, we have a work session to  
14 review the existing Manufacturing District. Heather put  
15 together a memorandum, along with some included documentation,  
16 to assist us in this. She did review the existing  
17 Manufacturing District and has presented us a memorandum with  
18 some recommendations.

19 First of all, appreciate the work putting this  
20 together, Heather. Thank you very much. Would you be kind  
21 enough to overview it with us, please?

22 MS. FREEMAN: Sure, yeah. So at the last meeting, I  
23 brought up to the board that we entertained the idea of  
24 looking at some of the uses that are allowed in the  
25 Manufacturing District. Then as the board got into  
26 discussion, there was some debate on maybe we rezone the  
27 property. So taking your advice, I looked at the couple of  
28 districts that I felt would be the most likely in that, and  
29 those areas are suitable for possibly rezoning that M District  
30 to either the B-2 or the BX District.

1           So what we did, Celina and I worked on this  
2 together, put together for your reference the existing purpose  
3 statements for all three of those districts and generated a  
4 table of comparing the three districts, what uses are allowed  
5 in each one so you could easily look at that, with the P being  
6 a permitted use and a C being a conditionally permitted use.  
7 And we did include a reference to the specific conditions  
8 should you want to look at what those specific conditions are  
9 so you could easily refer to those.

10           You will notice that the General Business District,  
11 which was the B-2 District, the first one that we compared to,  
12 there are a lot of uses that are allowed in there that are  
13 very different from the M District. You will see a lot of  
14 personal services and retail, some retail uses that are  
15 allowed there but also some of the uses that we were  
16 considering adding, like under the trade business services,  
17 like general building contractors or construction and  
18 equipment sales.

19           But this, the B-2, also allows for additional  
20 community facilities such as residential care facilities,  
21 nursing homes, home for the aging, hospice type care  
22 facilities, and that's a big shift from what's allowed there  
23 now. And I am not so sure that those are uses that we want to  
24 encourage more of in Concord. We do have the skilled nursing  
25 facility and the assisted living over on Auburn Road and  
26 several other small ones throughout the community as well.

27           So, and with this review as well, we also looked at  
28 what are the lot and dimensional requirements. You can have  
29 an understanding, I think, a little bit better about how dense  
30 something could be developed. So under the M District, the

1 minimum lot size is 2 acres. If you go to the B-2, it's down  
2 to 1 acre. Setbacks are a little smaller, even abutting a  
3 residential district. If you go in the M District, you're at  
4 200 feet from a residential and a side yard versus 50 feet if  
5 you go to the B-2. So those are some things to consider if  
6 you were going to rezone the property.

7 With the BX District, which right now the BX  
8 District is mainly on Crile Road, and I don't have the Zoning  
9 Map in front of me but if you are looking at your Zoning Map  
10 that would probably be helpful for you to understand where the  
11 district are located. But like where Crile Crossing is,  
12 that's BX, and then further down on Crile Road where Drug Mart  
13 is, those lots are BX.

14 But with the BX District, you can get a lot more  
15 like retail/personal service type uses, restaurants, counter  
16 service, a lot, that really opens up the door to a lot more  
17 uses where you would get people coming and going more  
18 frequently, I believe, on the property, like a movie theater,  
19 a banquet facility, and I am not so sure that some of those  
20 would be appropriate being that close to the R District, the  
21 residential districts. Additionally, the lot size, again, is  
22 smaller and it could be more densely built upon if gone to BX.

23 So, and the other districts that were in the Zoning  
24 Resolution I didn't really feel were good ones to even really  
25 compare based on where the other districts are located already  
26 in Concord and what the purposes of those districts were. So  
27 after doing this, I kind of went back to what I was originally  
28 recommending to you was, why don't we just look at adding a  
29 few districts (sic).

30 The other thought too is, and I know we talked

1 about, what the businesses are currently using the property  
2 for and none of them are really true manufacturing. But I  
3 don't know that that's enough of a reason just to rezone it  
4 from Manufacturing. So I went back to this idea of, what if  
5 we just go back to adding a few uses and maybe tweak the  
6 purpose statement?

7           So within this document there are a couple  
8 recommendations in red, just two very small ones or -- I am  
9 sorry -- just a couple very small ones. One, for the M  
10 District purpose statement, just adding in a line item that  
11 would allow for some limited commercial uses; and then under  
12 the Table of Uses itself, possibly adding in the general  
13 building contractors, maybe deleting out the child or adult  
14 day care centers. It's kind of perplexing why we would want  
15 that in the M District anyway. And then following up a little  
16 bit on our conversation that we had last month regarding the  
17 outdoor storage, again, maybe making that, rather than a  
18 permitted accessory use but a conditionally permitted  
19 accessory use. But I am open to answer any questions or if  
20 you have any other suggestions.

21           MR. PETERSON: Heather, hadn't you noted earlier  
22 that someone was interested in that vacant building that's  
23 sitting in the triangle right now?

24           MS. FREEMAN: Yeah.

25           MR. PETERSON: What kind of business would that be?  
26 Would that fit the new?

27           MS. FREEMAN: They are like general building  
28 contractors, engineers, surveyor type organization, you know.

29           MR. PETERSON: So would that fit in a modified  
30 Manufacturing the way you have written it?

1 MS. FREEMAN: If we added general building  
2 contractors, it would, yes, yeah.

3 MR. PETERSON: Okay.

4 MS. FREEMAN: And then if they were going to ever  
5 have any outdoor storage, if we adopt the, what I was  
6 recommending last month and submitted again to you this month  
7 regarding some of the changes for outdoor storage, I think  
8 that will eliminate any kind of concerns being next to a  
9 residential as well.

10 CHAIRMAN IAFELICE: Thank you for overviewing that,  
11 Heather.

12 First of all, the recommendations, the rationale  
13 used is really resonating with me. When I read through, it  
14 really made sense, and especially when you compare lot and  
15 dimensional requirements and all the various uses within. So  
16 rather than not rezoning it but just including other uses  
17 within the Manufacturing, I support that rationale and  
18 recommendation. Any thoughts?

19 MR. SCHINDLER: Well, any concerns that I had, it  
20 was noted under "conditional use." I figure, okay, leave it  
21 open to us to be able to discuss it and check each thing on  
22 its merits. So the ones that I did have concerns, I don't  
23 have any concerns with because it's under that envelope.

24 CHAIRMAN IAFELICE: The recommendation to remove the  
25 child or adult care center from Manufacturing, adding general  
26 building, those make perfect sense to me.

27 MR. TERRIACO: Perfect sense, yeah.

28 CHAIRMAN IAFELICE: Under the purpose statement, if  
29 I can ask, Heather, are we saying enough by saying "and some  
30 limited commercial"? It seems a little vague or maybe it's --

1 MR. PETERSON: Purposely vague?

2 CHAIRMAN IAFELICE: -- purposely vague to allow some  
3 flexibility.

4 MS. FREEMAN: Right. It was purposely vague at this  
5 point because I really wasn't sure what direction this board  
6 wanted to go.

7 CHAIRMAN IAFELICE: Okay, okay.

8 MS. FREEMAN: And if there were some uses that you  
9 really thought were appropriate, we could, we could make it  
10 more refined or we can keep it kind of vague.

11 CHAIRMAN IAFELICE: No, I think I'd defer to how you  
12 have it. To be able to define it more, then we're going to  
13 get really wordy again and where do we stop in terms of that?

14 MS. FREEMAN: Right.

15 CHAIRMAN IAFELICE: Again, thank you for -- Oh, and  
16 then, in addition, making outdoor storage a conditional use, I  
17 support that recommendation. So I support these  
18 recommendations that you have here, Heather.

19 Any comments from any of the board members? Rich?

20 MR. PETERSON: Well, only that we have two  
21 manufacturing areas and they're very small, so we're not going  
22 to have a Toyota manufacturing plant on either one of those.

23 MS. FREEMAN: Right.

24 MR. PETERSON: Making those as practical as possible  
25 so that we can use them makes sense. So I am perfectly okay  
26 with Heather's recommendation.

27 CHAIRMAN IAFELICE: Good point, good point. Thank  
28 you, Rich.

29 Andy? Any comments, Andy?

30 MR. LINGENFELTER: No. The only question I have is,

1 you know, at this point in time, you know, with such a limited  
2 amount of acreage available and the issue being in front of  
3 us, the question that I have is, do we really want  
4 manufacturing in the township? And the way the property is  
5 being utilized now, there is, you know, we've got three  
6 facilities on the acreage as it sits, except for the vacant  
7 land component, that is really not manufacturing. So, I mean,  
8 I continue to fall back on that I don't think we need it.  
9 That's just kind of my position. I don't think we need  
10 manufacturing.

11 MR. PETERSON: Isn't there a manufacturing plant on  
12 that other one?

13 MR. LINGENFELTER: No.

14 MR. PETERSON: There used to be the plastics plant.

15 MR. LINGENFELTER: Dolbey Systems, Dolbey Systems is  
16 not manufacturing.

17 MR. PETERSON: Is that who made the, who was there  
18 before that had the fire?

19 MR. LINGENFELTER: Yeah.

20 MR. TERRIACO: Wex Plastics.

21 MR. PETERSON: Oh, Wex Plastics.

22 MR. TERRIACO: Wex Plastics.

23 MR. PETERSON: They made components for Honda  
24 Accords and they had a fire there and shut down the production  
25 line.

26 MR. LINGENFELTER: Right.

27 MR. PETERSON: That was manufacturing though.

28 MR. LINGENFELTER: Yeah, but it's not now.

29 MR. PETERSON: Correct.

30 MR. LINGENFELTER: So, and with everything the way



1 it is, you know, I mean, I just don't see any, I don't see any  
2 reason to keep it for basically what amounts to a 2.7 acre  
3 parcel, because that's all we've got because you've got, the  
4 other parcel's got an office building on it, the other one has  
5 Hannon Electric on it, the other one has Dolbey Systems on it.  
6 I mean, to me, what's the point in continuing a zoning  
7 classification that is really for 2.7 acres in the entire  
8 township?

9 MR. PETERSON: And yet, though it's not  
10 manufacturing, the RD-2 District sort of is manufacturing in a  
11 way. The Steven Douglas Corporation going in, they  
12 manufacture custom automation systems. So it's clean  
13 manufacturing but it's not manufacturing as we've zoned it.

14 MR. LINGENFELTER: Right.

15 MR. PETERSON: So to Andy's point, do we even need  
16 that as manufacturing? Probably not but --

17 MR. LINGENFELTER: Not only do we need it, do we  
18 want it? That's the thing. You know, do you want  
19 manufacturing? You know, I don't. I don't see the need for  
20 it. The township has, you know, has morphed beyond the need  
21 for a manufacturing district. And it's such a, it's just such  
22 a minor, small amount of property, I mean, it's insignificant.

23 MR. PETERSON: Yeah, manufacturing, I think it could  
24 be good if it were bigger.

25 MR. LINGENFELTER: Right. You're not going to  
26 attract any sort of major manufacturing with 2.7 acres. I am  
27 sorry, not happening. Okay? So what's the point? That's  
28 kind of where I come from on the whole thing. Why are we  
29 hanging onto it? Let it go.

30 CHAIRMAN IAFELICE: I am glad you brought it up

1 because that was where our discussion was. So in the  
2 alternative, what is it?

3 MR. PETERSON: What would you make it?

4 MR. LINGENFELTER: I think it should fall to the,  
5 like something that would be consistent with the surrounding  
6 area, if there is anything that would be consistent that would  
7 fall in that line. I would think probably B-2 or BX, you  
8 know, would be the -- I think Heather's comments about adding  
9 in uses, you know, I mean, okay, they're significantly smaller  
10 but, again, there is already existing facilities on these  
11 parcels. Okay? So is somebody going to come in and tear the  
12 facility down? You know, I mean, it's just cost prohibitive.

13 CHAIRMAN IAFELICE: In order to comply with the lot  
14 and dimensional requirements in B-2.

15 MR. LINGENFELTER: Right, exactly. So I don't know.  
16 To me, it just, I think we just can't have the whole manufacturing  
17 component for such -- If we had hundreds of acres or if we had  
18 40 or 50 acres that was committed to manufacturing, then I  
19 would not make that argument, but we're talking about 2.7  
20 acres. That's what we're talking about, seriously. To me, it  
21 makes no sense.

22 CHAIRMAN IAFELICE: That just meets the minimum lot  
23 area for manufacturing.

24 MR. LINGENFELTER: Right. It's time to retire it.  
25 Yeah, two acres. I mean, it's just, like I say, it's time to  
26 retire it, you know. Take it out behind the shed.

27 MR. SCHINDLER: Well, a lot of people always felt  
28 that Concord is supposed to be a bedroom community, you know,  
29 where people were moving from areas of the city out here  
30 because of the area and the, you know, consistency of the land

1 use that we have now.

2 MR. LINGENFELTER: Right.

3 MR. SCHINDLER: They come out here for the quietness  
4 and everything. Manufacturing for a size, like you said,  
5 Andy, you'd maybe have five employees that would make little  
6 widgets of some kind.

7 MR. PETERSON: It would be very light manufacturing.

8 MR. SCHINDLER: It would be very, very light, you  
9 know. And, plus, the big complaint that I used to hear when I  
10 first became a member of the board, people in the township,  
11 "Oh, we need manufacturing. It's going to take care of all  
12 the tax dollars we need and keep our taxes down." That's not  
13 the case anymore.

14 MR. LINGENFELTER: Nope.

15 MR. SCHINDLER: Remember some years ago, we did a  
16 study that's in the records somewhere that the tax base that  
17 we got from manufacturing was not the biggest tax base. We,  
18 as residents living out here with the values of our property  
19 and homes brought in the biggest tax to the township and not  
20 manufacturing.

21 MR. LINGENFELTER: Well, the other thing, too, to  
22 your point there, Frank, is that there is no income tax.  
23 Okay?

24 MR. SCHINDLER: Right, right.

25 MR. LINGENFELTER: Unless they're an active member  
26 of the JEDD.

27 MR. PETERSON: The JEDD.

28 MR. LINGENFELTER: So you're not -- So you're  
29 basically dealing with property tax, period.

30 MR. SCHINDLER: Correct, correct.

1 MR. LINGENFELTER: And it's just, to me, I just  
2 don't -- I think we just, I think we just retire Manufacturing  
3 as a zoning, as a zoning designation in the township, but it's  
4 not a hill I am going to die on. Okay? I mean, it's just  
5 not. I mean, whatever, I mean, if the board thinks we should  
6 keep it and make some modifications, that's fine. But I  
7 really, my personal opinion is I think we're going way out of  
8 our way to preserve such a minor amount of property that it's  
9 just not worth it. So that's my input, not to degrade or  
10 denigrate the work that you did, Heather.

11 MS. FREEMAN: Oh, not at all, yeah.

12 So, Mr. Chairman, while you were sitting here just  
13 talking, I pulled up the Hannon Electric, Hannon Company  
14 Electric website just because I don't know that maybe we  
15 understood exactly what they do there. But they do, they have  
16 a, basically, it's a 75, according to their website, 75,000  
17 square foot plus shop where the services they provide include  
18 electric motor repair capability, capabilities, large  
19 machining capabilities, in-house coil manufacturing, complete  
20 electromechanical repair, and all kinds of things, new and  
21 remanufactured equipment. So they are doing some kind of --

22 MR. PETERSON: Manufacturing.

23 MS. FREEMAN: -- manufacturing or engine repair. My  
24 fear, my concern with rezoning from an M to another district  
25 is there are only a few parcels. Is this going to cause  
26 confusion for the parcel that is currently on the market or  
27 for the tenants that are currently in there? If Hannon  
28 Electric is truly doing manufacturing at that location, are we  
29 creating a nonconformity now where they might not be able to  
30 continue on that.

1 CHAIRMAN IAFELICE: I was just going to ask you.

2 MS. FREEMAN: Which they're very low key over there.  
3 I mean, they're --

4 MR. LINGENFELTER: I think what they're doing  
5 probably would be, probably would fit more in RD, in the  
6 research and light -- because rewinding coils is not  
7 manufacturing. Doing remanufacturing equipment is not  
8 manufacturing.

9 MS. FREEMAN: No.

10 MR. PETERSON: Machining, she said, too though.

11 MR. LINGENFELTER: But what kind of machining?

12 MR. PETERSON: I know.

13 MS. FREEMAN: I don't know.

14 MR. LINGENFELTER: That's the thing. If they're  
15 rewinding coils there, they're refurbishing equipment,  
16 they're, you know, doing some remanufacturing, which is mostly  
17 cosmetic and, you know, minor. They're not, it's not a  
18 smelting operation. It's not a forging operation, you know.  
19 It's not a stamping operation. I mean, coil winding, Rich,  
20 you're in manufacturing, you come from manufacturing. You  
21 know that coil manufacturing is not --

22 MR. PETERSON: Sure.

23 MR. LINGENFELTER: -- not what I consider to be  
24 manufacturing per se.

25 MR. PETERSON: No, it's not.

26 MR. SCHINDLER: No, what they're taking is motors  
27 and they're reconditioning them, which have coils, AC and DC.

28 MR. PETERSON: Some level of remanufacturing.

29 MR. SCHINDLER: Yeah. What they are doing is  
30 refurbishing.

1 MR. LINGENFELTER: You could probably, you could  
2 probably designate that as RD-2 or RD-1.

3 MR. PETERSON: You could.

4 MR. LINGENFELTER: And probably not cause a major  
5 compliance issue.

6 MR. PETERSON: But you might open up other things  
7 because in RD-2, for example, hotel could come in, which,  
8 okay, maybe.

9 MR. LINGENFELTER: So that's just my thought.

10 MR. PETERSON: Good point.

11 MR. LINGENFELTER: Whatever. I mean, like I said, I  
12 am not going to --

13 CHAIRMAN IAFELICE: Would a change in the district  
14 be more respectful of the surrounding property as well, given  
15 that it's entirely residential surrounding it?

16 MR. LINGENFELTER: Right, that's the other point,  
17 that's the other point. You know, you've got major -- There  
18 isn't really anything other than residential surrounding it.

19 MR. PETERSON: Although I doubt there were ever any  
20 complaints about the two or three occupants that are there  
21 now, you know, so it's not like noisy or smokey or anything  
22 like that.

23 CHAIRMAN IAFELICE: Under RD-2, Heather, is it -- I  
24 should look at my book. Are general building contractors  
25 permitted under RD-2?

26 MS. FREEMAN: I don't think it is. I apologize. I  
27 am going to have to go grab my Zoning Resolution, too. I can  
28 grab my copy.

29 CHAIRMAN IAFELICE: Okay. It is not. It's not  
30 listed as a conditional use either. 22.6, Heather, page.

1 MS. FREEMAN: Okay. No, it's not in there, right,  
2 yeah.

3 CHAIRMAN IAFELICE: Yeah, or conditional.

4 MS. FREEMAN: Right. But, yeah, RD-2 also allows  
5 for other uses that would possibly be more impactful, such as  
6 warehousing and the wholesale businesses, brewery, distillery,  
7 wineries. So those are some of the reasons why I didn't  
8 choose that district.

9 MR. SCHINDLER: That would definitely not be  
10 acceptable for surrounding residents who live there.

11 MS. FREEMAN: Right.

12 MR. PETERSON: What is it zoned where Ordnance  
13 Technology is?

14 MS. FREEMAN: RD-2.

15 MR. PETERSON: RD-2. Ordnance Technology -- I don't  
16 know if you guys have seen them -- used to be one of my  
17 customers. They do work on the Mark 48 torpedo for the Navy.  
18 They do assembly work. They procure machining work. They do  
19 assemble things but they have others doing the machining and  
20 put components together and things that go into the, our  
21 submarines, and they're right there on Wellness Way now. And  
22 that's, I got a tour of the plant in November, I think it was,  
23 and it's an interesting place.

24 You could call it manufacturing but it's very light  
25 manufacturing, to Frank's point, a few people assembling  
26 things, a lot of storage, a lot of procurement, those types of  
27 things but a nice, clean industry for our community, for sure.

28 MR. SCHINDLER: Yeah, it's not something you would  
29 consider smoke stink, not at all.

30 MR. PETERSON: Yeah.

1           CHAIRMAN IAFELICE: Well, I am in a quandary because  
2 I kind of agree with Andy's point but I also wonder what the  
3 impact is on potentially creating a nonconforming use or is it  
4 the property owner's rights? Is it something to investigate  
5 through the property, Hannon Electric, to understand whether  
6 their practices, their business practices conflict with a BX  
7 or a B -- What are we talking about?

8           MR. PETERSON: RD-2.

9           CHAIRMAN IAFELICE: Or RD-2.

10          MR. PETERSON: It doesn't sound like it would  
11 because it's somewhat like what Ordinance Technology does or  
12 Steven Douglas even, more manufacturing.

13          CHAIRMAN IAFELICE: That's RD-2.

14          MS. FREEMAN: Well, if they're light manufacturing,  
15 then they would be, you know, that is also allowed in the BX  
16 District. We don't allow a true heavy manufacturing in  
17 Concord. We even, we make a definition between light  
18 manufacturing and heavy manufacturing. So we don't allow  
19 heavy manufacturing anywhere, even in the M District.

20          MR. PETERSON: But if we made it a BX, it could turn  
21 into a restaurant, according to the chart.

22          MS. FREEMAN: Right.

23          MR. PETERSON: So not necessarily a bad thing but  
24 different, for sure.

25          CHAIRMAN IAFELICE: Yeah, yeah.

26          MS. FREEMAN: I just felt like a lot of the BX uses  
27 were more appropriate over on Crile, on that side of town like  
28 away from residential.

29          CHAIRMAN IAFELICE: On Crile, yeah, I agree.

30          MR. LINGENFELTER: I think, also, I think we need to



1 look at usage versus, you know, what, you know, kind of what  
2 reality is. Like you said, you can put a restaurant in but  
3 it's like, you know, I would rather have a restaurant than a  
4 manufacturing facility. It's me personally. But usage, do we  
5 want to promote usage? Do we want to -- Because leaving it as  
6 M, I doubt that it will ever go anywhere. Just, I mean, it  
7 will just stay the way it is. I doubt, I seriously doubt  
8 anybody is going to propose a manufacturing facility on 2.7  
9 acres.

10 MR. PETERSON: It might change the business but it  
11 would be the same kind of thing.

12 MR. LINGENFELTER: Right. So do we want to promote  
13 usage or do we want to make something that's antiquated there  
14 on purpose so that it won't get developed? It becomes a  
15 question, do you want to promote growth, do you want to  
16 promote land usage in a common sense, proper way or do we want  
17 to stunt it? So, because I think leaving it as M and 2.7  
18 acres ain't going anywhere, ain't nothing going to happen over  
19 there, nothing, unless somebody acquires the whole thing.

20 MR. SCHINDLER: I am sure the residents that live  
21 there would be happy just to leave it like it is --

22 MR. LINGENFELTER: Who knows what Hannon has land  
23 wise, the owners --

24 MR. SCHINDLER: Because if we do -- You talk about  
25 like restaurants. Now when you get into summer, the  
26 restaurants have outdoor dining and indoor dining. Now that  
27 becomes a big issue with noise and stuff.

28 MR. PETERSON: Yeah. But you're right next to I-90,  
29 too, there, so you're going to get some noise anyway.

30 MR. LINGENFELTER: So --

1           CHAIRMAN IAFELICE: Currently, we have interest on  
2 usage, right, building contractor?

3           MS. FREEMAN: They were interested, yeah.

4           MR. PETERSON: So whatever we decide on ought to fit  
5 potential applicants, right, and that could be two or three  
6 things?

7           CHAIRMAN IAFELICE: I was going to Andy's point. We  
8 want to promote, in a responsible way, and encourage business  
9 that's compatible with the area, the zoning. By creating the  
10 use within a zoning district that we don't really, aren't  
11 excited about, manufacturing, we're just working, seem to be  
12 working around the inevitable. I guess I am thinking we need  
13 to, not to kick this can another month but is there further  
14 research, perhaps, to, or inquiry or thought process about  
15 this before we arrive at a conclusion? I am not in a position  
16 now, based on our conversation, to say, "Oh, yeah, it should  
17 be X, Y or Z here."

18           MR. SCHINDLER: I think a lot has to do with, if  
19 there is an inquiry right now, I would like to find out how  
20 serious it is.

21           MR. LINGENFELTER: I don't like, I don't,  
22 personally, I mean, I don't want to zone or rezone or make  
23 changes based on if-come.

24           MR. SCHINDLER: No, no.

25           MR. PETERSON: An inquiry, yeah.

26           MR. LINGENFELTER: That, to me, is not, that's not  
27 the way to do business, you know.

28           CHAIRMAN IAFELICE: Right, right.

29           MR. LINGENFELTER: Stay the course, do our thing,  
30 let the cards fall where they may, you know. If we make a

1 change and these other guys go away, oh, well, you know. If  
2 we make a change and they continue on, good.

3 CHAIRMAN IAFELICE: I think all of us sitting here  
4 looking at that parcel, negating that it's Hannon Electric  
5 sitting there, that it's obviously not manufacturing,  
6 obviously.

7 MR. LINGENFELTER: That's my point. I just don't  
8 see the value. I am trying but I can't. I don't see it.

9 MR. PETERSON: I think, to Andy's point, is one of  
10 these categories better suited?

11 CHAIRMAN IAFELICE: One of those categories is  
12 better suited.

13 MR. PETERSON: That might even, coincidentally,  
14 still accommodate somebody that is potentially interested.

15 MR. LINGENFELTER: Right.

16 CHAIRMAN IAFELICE: Yes, yes.

17 MR. PETERSON: If it does, it does. It doesn't  
18 matter. But is it a right category? Which one of these would  
19 it be, RD-2?

20 CHAIRMAN IAFELICE: Yeah, so I guess that's what  
21 I was asking maybe, perhaps, Heather, to look into that and  
22 come back to us.

23 MR. PETERSON: With staff's recommendation?

24 CHAIRMAN IAFELICE: With a staff recommendation.  
25 Knowing that I think the consensus of the board is, while we  
26 respect what you're recommending, we're not, we're saying,  
27 going back to our position the last month was, manufacturing  
28 doesn't belong there.

29 MS. FREEMAN: Well, this is difficult, too, because  
30 our comprehensive plans have not even mentioned the M District

1 whatsoever, not even a touch on it like it's good, bad, ugly  
2 or anything. So there is really no guidance from the  
3 comprehensive plans regarding that, in any of the  
4 comprehensive plans. So, yeah, I mean, I am happy to go back  
5 and reevaluate the two districts that I already gave you plus  
6 maybe something else and come back.

7 CHAIRMAN IAFELICE: Absolutely.

8 MR. PETERSON: The question would be, if it's not  
9 Manufacturing, what do you think it's --

10 CHAIRMAN IAFELICE: Should be or could be.

11 MR. PETERSON: -- best suited to be? And then we  
12 could take it from there.

13 MS. FREEMAN: Right, okay. And what I best -- What  
14 I initially thought was either BX or B-2, I'll tell you that.

15 MR. LINGENFELTER: Right.

16 MS. FREEMAN: Those were the two, based on my  
17 initial review of everything, that I thought, if we were going  
18 to go that route, it should be one of those two.

19 MR. LINGENFELTER: I don't think that enhancing the  
20 district is in the best interest of what we're trying to do.  
21 You know, adding more uses, you know, what's the point in it?  
22 If you are trying, if you are adding more uses to discourage  
23 manufacturing and use an alternate use, then why not just bag  
24 the whole manufacturing and just make it something else and go  
25 that direction. That's kind of the way I look at it. You  
26 know what I am saying?

27 MR. TERRIACO: I would recommend that we make sure  
28 we don't put Hannon Electric in nonconforming.

29 MR. LINGENFELTER: Right, yeah.

30 MR. TERRIACO: That's the only thing that sticks out

1 in my mind right now.

2 MR. PETERSON: True, good point.

3 MR. LINGENFELTER: Yep.

4 MR. TERRIACO: And making sure we don't put  
5 something next to those neighbors because we now have  
6 residential that's even closer to Hannon Electric. So when  
7 you look at what is permitted in some of those other B-2 and  
8 BX --

9 MR. PETERSON: What do they currently do in this  
10 other manufacturing area where the old plastic plant used to  
11 be? What is that?

12 MR. LINGENFELTER: Dolby Systems.

13 MR. PETERSON: What do they do?

14 MR. LINGENFELTER: They're IT related.

15 MR. PETERSON: Oh, IT, okay. We would have to make  
16 sure we didn't put them in noncompliance, too.

17 CHAIRMAN IAFELICE: Right, yes, on the other side.

18 MR. PETERSON: Yeah.

19 CHAIRMAN IAFELICE: Well, we know we were looking  
20 for something to do in the next month, Heather, so if you  
21 don't mind.

22 MS. FREEMAN: Not at all.

23 CHAIRMAN IAFELICE: Appreciate it. Thank you.

24 Any other comments relative to the Manufacturing  
25 District? I think we had a, that was a good discussion.  
26 Thank you, Andy, for bringing those points up. I'm glad it  
27 resurrected --

28 MR. LINGENFELTER: You don't really mean that.

29 CHAIRMAN IAFELICE: I do, I do because it  
30 resurrected we were, our mindset last time we spoke about it.

1 Why do we have the Manufacturing District?

2 MR. SCHINDLER: My only concern would be, if we're  
3 going to do something with it, just try to make it as  
4 compatible with the residents that are around there so we  
5 don't make hardships for them.

6 CHAIRMAN IAFELICE: Yeah.

7 MR. SCHINDLER: That's the only concern I have.

8 MR. PETERSON: Yeah. Well, it won't be a steel  
9 mill.

10 MR. SCHINDLER: No.

11 MS. FREEMAN: And that, bringing up the residents  
12 around them, due to the fact that there are only four parcels  
13 or five or however many -- I appologize -- we would have to  
14 notify or we will be required to notify all the property  
15 owners proposing to be rezoned and those that are adjacent to  
16 those properties.

17 CHAIRMAN IAFELICE: Adjacent.

18 MS. FREEMAN: So it could cause more questions about  
19 what we're doing and why we're doing it and is there someone  
20 coming in. So just keep that in mind.

21 MR. PETERSON: Adjacent, including opposite, right,  
22 on the other side of the road?

23 MS. FREEMAN: And those across the street, yeah,  
24 yep, yep.

25 CHAIRMAN IAFELICE: Public hearing, the whole bit.

26 MS. FREEMAN: Yeah, the whole, yeah. So --

27 MR. PETERSON: See what you started.

28 MS. FREEMAN: Which is -- and not to sway you one  
29 way or the other but if it's a text amendment, we don't have  
30 to directly notify anyone other than through the newspaper and

1 the regular meeting notice, legal notice and notification  
2 process.

3 CHAIRMAN IAFELICE: We don't want to take the easy  
4 way out.

5 MS. FREEMAN: No, I am not saying take the easy way  
6 out.

7 CHAIRMAN IAFELICE: Thank you, Heather.

8 MS. FREEMAN: All right.

9 CHAIRMAN IAFELICE: Let's see. Actually, I was  
10 expecting the first item on our agenda going longer. So let's  
11 move on. Let's move on to the next item on our agenda to  
12 review Section 22.03, Table of Uses, and the retail and  
13 personal services for all commercial districts. In your, the  
14 information that Heather forwarded to us, a follow-up on our  
15 discussion of the Table of Uses 22.03, she took that table  
16 from 22.03 and created and pulled the retail and personal  
17 service review of uses with some recommendations, categories  
18 by each district.

19 Perhaps overview the recommendations in your table  
20 there, Heather, if you could.

21 MS. FREEMAN: Sure. So this is the document, the  
22 retail and personal services review, pages 1 through 8, making  
23 sure we're all looking at the same thing. So as Rich  
24 indicated, I extracted just the retail and personal services  
25 for all the commercial districts in Concord currently.  
26 Anything you see in red as the track changes is what I am  
27 proposing that the board consider changing. At the last  
28 meeting, you guys all decided that you wanted to look at,  
29 basically, the whole entire table over the next couple months,  
30 so we agreed to studying this portion of it currently.

1           So staff has made a few recommendations. Under  
2 the -- Let's see if we want to look. The first ones that kind  
3 of comes up is under the B-2, the General Business District,  
4 and this is the light pink on the Zoning Map. These are the  
5 areas just north and south of the Town Hall Campus here on  
6 Ravenna Road. So we are looking at potentially removing  
7 personal services as a permitted use from that district. Part  
8 of the reasoning behind that is that we've seen an uptick in  
9 those type of uses over on Crile Road and I think that those  
10 type of uses really need visibility and a lot more traffic and  
11 are a little bit more compatible on our main corridor.

12           However, garden and nursery retail sales could  
13 potentially be a valid option over here on, in the B-2  
14 District, so we're proposing to add that in as a conditionally  
15 permitted use.

16           CHAIRMAN IAFELICE: Okay.

17           MS. FREEMAN: And then continuing down on the table,  
18 possibly again taking out of the B-2 District this business  
19 service, including mailing and copy centers, like a Fed Ex,  
20 Kinkos type places. It's not very likely to happen over here  
21 and would probably be more suitable over on Crile and Capital  
22 Parkway.

23           CHAIRMAN IAFELICE: Agreed.

24           MS. FREEMAN: Again, the removal of the child or  
25 adult day care centers from the M District was another  
26 recommendation.

27           But within the attached pages also, just for your  
28 reference, gave you all the district purpose statements and  
29 what the specific conditions were for these already  
30 conditionally permitted uses, including the definitions. That



1 way, if something came up specifically, we could easily look  
2 at it. We also looked at these to determine, you know, should  
3 we make any changes?

4 And we really weren't recommending any changes  
5 except for one that Mr. Terriaco had pointed out to us  
6 initially on page 6 and this had to do with, under the 13.08,  
7 child or adult day care centers. One, I have something  
8 highlighted in yellow and that was me questioning this minimum  
9 lot size. We can go back to that in a second. But the other  
10 one was under the Safety Inspections, Number 1, we were  
11 referencing the National Fire Prevention Association. And  
12 correct me if I am wrong, Ron. Should that really be the Ohio  
13 Fire Code that we should be referencing?

14 MR. TERRIACO: One is, actually, which she put the  
15 strike-through, National Fire Prevention Association is  
16 actually the National Fire Protection Association, NFPA. So  
17 when we do any type of inspection, fire inspection or plan  
18 review or anything, we follow the Ohio Fire Code. So under  
19 the Ohio Administrative Code is the Ohio Fire Code through the  
20 state fire marshal. Within the Ohio Fire Code, it will  
21 reference NFPA, such as a standard for installation or  
22 maintenance of fire sprinklers or fire alarm systems. So we,  
23 fire departments base everything off of the Ohio Fire Code.  
24 So it would reference NFPA. So that didn't reference the Ohio  
25 Fire Code. So when I was reading do my homework, sir, and  
26 that really stood out.

27 CHAIRMAN IAFELICE: Good. Thank you.

28 MR. PETERSON: Good point.

29 MS. FREEMAN: Okay. But along with that, we, for  
30 child or adult day care centers, there is a condition and I am

1 not sure really where it came from or if it's something that  
2 we want to keep in there -- I was kind of questioning it --  
3 was an increase in the minimum lot size up to 1 acre. In a  
4 lot of the districts, minimum lot size is 1 acre; but there  
5 are two commercial districts where it's only a half acre  
6 minimum lot size. And then, also, we allow childcare centers  
7 in the Capital District, which -- or rather the Innovative  
8 Site/Planned Development District where we could have lots  
9 smaller than 1 acre.

10 So I kind of had it as something to look at to  
11 determine whether, try to figure out what the thought process  
12 was regarding a larger lot size for that kind of use.

13 CHAIRMAN IAFELICE: I agree, Heather. I question,  
14 what was the rationale in creating that, and I don't know.

15 MS. FREEMAN: But other than those changes that I  
16 just reviewed, staff didn't really have much else unless there  
17 was some thoughts from the board about adding or subtracting  
18 or anything like that taht you want to go over or modifying  
19 any of the conditions.

20 CHAIRMAN IAFELICE: I think child or adult day care  
21 center is also stricken from RD-2, so -- right?

22 MS. FREEMAN: Oh, yes. I am sorry. I missed that,  
23 yes.

24 CHAIRMAN IAFELICE: Right, right.

25 MR. PETERSON: Good point.

26 CHAIRMAN IAFELICE: My comment goes back to what we  
27 just finished discussion on. When I read the purpose  
28 statement for RD-2, it fits that district we're talking about.  
29 It really fits, it seems, not knowing specifically other than  
30 your description of what Hannon Electric does and Dolbey

1 Systems, it seems to fit.

2 MR. PETERSON: Light manufacturing.

3 CHAIRMAN IAFELICE: Yeah, yeah.

4 Thank you for reviewing that with us, Heather. I  
5 don't have any comments relative to that.

6 Frank, any comments on what she just reviewed?

7 MR. SCHINDLER: No. We've covered things already.

8 CHAIRMAN IAFELICE: Ron, any --

9 MR. TERRIACO: Nothing, sir.

10 CHAIRMAN IAFELICE: Thank you.

11 Andy?

12 MR. LINGENFELTER: Nope.

13 CHAIRMAN IAFELICE: Rich?

14 MR. PETERSON: No. I would say it looks fine the  
15 way she's done it. And leaving it 1 acre, looking at the  
16 types of businesses that would be in there, they would  
17 probably want that anyway, at least an acre.

18 CHAIRMAN IAFELICE: At least an acre.

19 MR. PETERSON: I don't see any of those that would  
20 be on half an acre. A funeral home, veterinary service, even  
21 a day care or -- no, it's gone. Yeah, it is day care.  
22 They're going to at least want an acre. So --

23 CHAIRMAN IAFELICE: Got to have parking.

24 MR. PETERSON: Yeah, exactly. So I like the way she  
25 did it.

26 CHAIRMAN IAFELICE: Under this section then -- I am  
27 sorry -- 22.03, you also have, the Table of Uses, you have  
28 some track changes on the Table of Uses for 22.03, the  
29 complete table.

30 MS. FREEMAN: Correct.

1           CHAIRMAN IAFELICE:  Should we, should we consider  
2 them separately?

3           MS. FREEMAN:  Well, the only reason why I gave this  
4 separately was because, at the last meeting, we had already,  
5 the board had already discussed --

6           CHAIRMAN IAFELICE:  We did.

7           MS. FREEMAN:  -- and agreed informally to some  
8 changes already, and that's why I did this as a separate  
9 document just to bring that back to you.  At our last meeting,  
10 we talked about making research and development labs a  
11 conditionally permitted use in the Gateway Health District  
12 rather than permitted and then also eliminating gas stations  
13 and car washes from the Capital District.

14          CHAIRMAN IAFELICE:  Yes, yes.

15          MS. FREEMAN:  At some point, I will put this all  
16 together with the other sections.

17          CHAIRMAN IAFELICE:  Okay.

18          MS. FREEMAN:  But until we, kind of, we're at some  
19 point moving forward, I wanted to keep them separate.

20                 The other part was under the Accessory Use area.  So  
21 we started talking about outdoor storage, outdoor display and  
22 then we started talking about retail outdoor sales.  Remember?  
23 And I went back and I relooked at our definitions of "outdoor  
24 storage" and "outdoor display" and that kind of leads me into  
25 the second -- or the Section 13 that I just gave you as well.  
26 And I think, I don't think we need our own separate set of  
27 regulations and definitions for this outdoor retail display  
28 areas.  I think we can cover it just under Outdoor Display and  
29 use the existing conditions that we already have in Section  
30 13.32.

1           So I kind of, so I was proposing to you guys to  
2 split out, under the Accessory Use section, outdoor storage  
3 and outdoor display as two separate accessory uses. So that  
4 way, if you wanted to allow one in one district and not one in  
5 the other, you could list them separately in the table.  
6 Specifically, I was thinking for the Manufacturing. Well,  
7 when we were talking about the Manufacturing District, we  
8 wanted to not allow outdoor display but we did want to allow  
9 outdoor storage as a conditionally permitted use. But if it  
10 comes to a point where we are not going to have a district  
11 where we wouldn't allow one and not the other, then maybe we  
12 wouldn't need to separate them because we already define them  
13 and I wasn't proposing any changes to the definitions  
14 themselves other than some of the specific conditions that we  
15 were going to do.

16           But like in the Town Center, the IS/PD, I know we  
17 did want to allow some kind of outdoor display for retail  
18 areas. So if we did that in this section, it could easily  
19 translate over to that section as well.

20           CHAIRMAN IAFELICE: I appreciate that idea, Heather,  
21 separating those, especially given the, under 13.32, the  
22 extensive description of "display" versus "storage." They're  
23 separate and distinct.

24           MS. FREEMAN: They are, yeah, yeah.

25           CHAIRMAN IAFELICE: Yeah, yeah. And I appreciate  
26 the addition, additional definition of the "outdoor storage,"  
27 defining it a little bit better. Apparently, in the past,  
28 we've dealt with outdoor storage by indicating to the  
29 applicant we would like it to be matching the building  
30 material and such.

1 MS. FREEMAN: Well, I've not had anyone come up and  
2 do that before. The only one I worked with a little bit was  
3 when Concord Motor Sports started doing the U Haul and that  
4 was the outdoor display. They started selling that, the U  
5 Haul, or you can rent the U Haul stuff down there. And that  
6 was kind of, there really wasn't a lot of guidance for the  
7 board. They wanted to just park stuff like on the grass or on  
8 these asphalt grindings, you know, and that's, you get what  
9 you get. And they move stuff around over there and it's not  
10 on some area that was really --

11 CHAIRMAN IAFELICE: Designated.

12 MS. FREEMAN: Yeah, designated for it. So --

13 CHAIRMAN IAFELICE: No, this is very good. It  
14 really cleans up things on that and the Table of Uses per our  
15 previous discussions under 22.03.

16 MS. FREEMAN: So what I can do --

17 CHAIRMAN IAFELICE: Yeah, please.

18 MS. FREEMAN: What I can do for the next month then  
19 is kind of, if you somewhat agree with what I was recommending  
20 under the Retail and Personal Services, I can combine that  
21 into these other changes and then we can start looking at the  
22 next section. And then, obviously, I will come back on the M  
23 District, too, as a separate work session.

24 CHAIRMAN IAFELICE: If there is no objection, I  
25 would agree with that.

26 MR. LINGENFELTER: Yes, sir.

27 CHAIRMAN IAFELICE: Great.

28 Rich?

29 MR. PETERSON: Do you want to do anything with the  
30 second bullet tonight?

1 CHAIRMAN IAFELICE: Which one?

2 MR. PETERSON: The one we already, the first one we  
3 talked about, which is Retail and Personal Services.

4 CHAIRMAN IAFELICE: That's what Heather was just  
5 referring to.

6 MR. PETERSON: We're going, she was going to the  
7 next one too though, right?

8 CHAIRMAN IAFELICE: Oh, I am sorry, yeah.

9 MR. PETERSON: Do you want to just leave it all?

10 CHAIRMAN IAFELICE: Leave it all, yeah. Thank you,  
11 Rich, yeah, yeah.

12 MR. PETERSON: No problem.

13 CHAIRMAN IAFELICE: You have it separated and I  
14 didn't realize it until Rich pointed it out. Outdoor storage  
15 and display, we kind of covered it together.

16 MS. FREEMAN: Yeah.

17 CHAIRMAN IAFELICE: Very good. So combine the two  
18 and then we will have that for review for next month.

19 MS. FREEMAN: Okay. And then did you find this  
20 useful, putting like all the purpose statements with the  
21 definitions and everything?

22 MR. PETERSON: I did. I thought it was a great  
23 idea.

24 MS. FREEMAN: Okay. Because I will do that for the  
25 next month then on the next section that you guys want to look  
26 at, which I think would be however we kind of want to chunk  
27 this. Maybe we do all the Automotive and Transportation and  
28 the M. How much of this do we want to do? We could do, I  
29 could do all the Automotive, Manufacturing, Distribution and  
30 Trade Businesses Services. What do you think, is that too

1 much to look at?

2 CHAIRMAN IAFELICE: There's not much there.

3 MS. FREEMAN: Yeah, there's not. I mean, there is  
4 not a lot.

5 CHAIRMAN IAFELICE: No.

6 MS. FREEMAN: I could even put in the Entertainment  
7 and Recreation.

8 CHAIRMAN IAFELICE: Yeah, maybe the, yeah,  
9 Entertainment, Recreation and Community Facilities.

10 MS. FREEMAN: All, just do it all?

11 CHAIRMAN IAFELICE: Well, then we've still got IS/PD  
12 and Accessory. Accessory is quite at length.

13 MS. FREEMAN: Yeah, okay.

14 CHAIRMAN IAFELICE: It's great breaking it up like  
15 that. We can kind of --

16 MS. FREEMAN: Yeah, okay.

17 CHAIRMAN IAFELICE: I know, if Hiram were here, he  
18 would be overjoyed at the way we broke it up, wouldn't he?

19 MR. SCHINDLER: Yeah.

20 MR. PETERSON: He would.

21 MR. SCHINDLER: I am sure he would.

22 MR. PETERSON: No doubt.

23 CHAIRMAN IAFELICE: He's probably watching from  
24 home.

25 MR. SCHINDLER: Or wherever he's at, yes.

26 MR. LINGENFELTER: I miss his critique of the  
27 minutes.

28 CHAIRMAN IAFELICE: I know. We did, too. We just  
29 approved it nonchalantly, no scrutiny.

30 MR. LINGENFELTER: Ron, that was big, those were



1 really big shoes to fill.

2 MR. PETERSON: You have to be a proofreader.

3 MR. LINGENFELTER: Yeah, to be able to step in and  
4 fill Hiram's shoes on the critique of the minutes, that's a  
5 daunting task.

6 MR. SCHINDLER: Yes.

7 MR. TERRIACO: I see that.

8 MR. SCHINDLER: He checks spelling and the sentence  
9 structure and, you know, clarifies everything.

10 MR. LINGENFELTER: Hiram, you gotta love it.

11 MR. SCHINDLER: Yeah, he's a good guy, definitely.

12 CHAIRMAN IAFELICE: Well, thank you, board, for the  
13 discussion this evening. If there is anything else on the  
14 agenda here for this evening, our next meeting is -- Oh, any  
15 comments before I --

16 MR. SCHINDLER: No.

17 CHAIRMAN IAFELICE: Okay. Our next meeting is  
18 February the 7th, 2023. I will be away, out of town on  
19 vacation.

20 MR. PETERSON: And Ron volunteered to chair the  
21 meeting.

22 CHAIRMAN IAFELICE: Thank you, Ron, for your  
23 services. I know you are excited, ready and willing.

24 MR. TERRIACO: I don't remember saying that.

25 MR. PETERSON: Just kidding.

26 MR. LINGENFELTER: Are you feeling a chill coming on  
27 right now, a fever?

28 MR. TERRIACO: The train, the train.

29 MR. LINGENFELTER: Come up with something between  
30 now and then.

1 MR. PETERSON: COVID is out there still.

2 CHAIRMAN IAFELICE: I assume you will be here next  
3 month, Rich?

4 MR. PETERSON: Yeah, I will be here unless you know  
5 something I don't.

6 CHAIRMAN IAFELICE: Not yet, unless Heather comes up  
7 with something coming in.

8 MS. FREEMAN: No.

9 CHAIRMAN IAFELICE: I don't think I will be Zooming  
10 in to watch.

11 MR. PETERSON: I don't think you will.

12 CHAIRMAN IAFELICE: I don't think I will. Thank  
13 you. With that, then I am going to adjourn this meeting of  
14 Concord Township Zoning Commission.

15 (Whereupon, the meeting was adjourned at 8:30 p.m.)  
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1 STATE OF OHIO )  
2 COUNTY OF LAKE )

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 25th day of January  
19 2023.

20 *Melinda A. Melton*  
21 \_\_\_\_\_  
22 Melinda A. Melton  
23 Registered Professional Reporter

24 Notary Public within and for the  
25 State of Ohio

26 My Commission Expires:  
27 February 4, 2023

