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2 CONCORD TOWNSHIP ZONING COMMISSION
3 LAKE COUNTY, OHIO
4 REGULAR MEETING
5
6 Concord Town Hall
7 7229 Ravenna Road
8 Concord, Ohio 44077
9
10 March 5, 2024
11 7:00 p.m.
12
13 TRANSCRIPT OF PROCEEDINGS
14
15 Zoning Commission members present:
16 Rich Peterson, Chairman
17 Andrew Lingenfelter, Vice Chairman
18 Frank Schindler, Member
19 Ron Terriaco, Member
20
21 Also Present:
22 Heather Freeman, Planning & Zoning Director/Zoning
23 Inspector
24 Bridey Matheney, Esq., Legal Counsel
25

1 here.
2 CHAIRMAN PETERSON: Yeah, I know.
3 Any comments on that at all?
4 MR. LINGENFELTER: I have none, Mr. Chairman.
5 MR. SCHINDLER: None, Mr. Chairman.
6 CHAIRMAN PETERSON: Could I have a motion,
7 please?
8 MR. LINGENFELTER: So moved.
9 CHAIRMAN PETERSON: Could I have a second,
10 please?
11 MR. SCHINDLER: I second it.
12 CHAIRMAN PETERSON: All right. Thank you,
13 Frank. I have a motion and a second.
14 All in favor of approving the January 2nd,
15 2024 minutes, signify by saying aye.
16 MR. LINGENFELTER: Aye.
17 MR. SCHINDLER: Aye.
18 MR. TERRIACO: Aye.
19 CHAIRMAN PETERSON: Aye.
20 Okay, thank you.
21 Correspondence, the third item on our agenda.
22 And I'll start with my left.
23 Frank, did you have any correspondence this
24 month?
25 MR. SCHINDLER: No, Mr. Chairman.

1 PROCEEDINGS
2 CHAIRMAN PETERSON: Good evening. I'm calling
3 to order the Concord Township Zoning Commission
4 meeting for Tuesday, March 5th, 2024.
5 Heather, could you call the roll, please.
6 MS. FREEMAN: Yes.
7 Mr. Lingenfelter.
8 MR. LINGENFELTER: Here.
9 MS. FREEMAN: Mr. Peterson.
10 CHAIRMAN PETERSON: Here.
11 MS. FREEMAN: Mr. Terriaco.
12 MR. TERRIACO: Here.
13 MS. FREEMAN: Mr. Schindler.
14 MR. SCHINDLER: Here.
15 CHAIRMAN PETERSON: Okay. Thank you, Heather.
16 We're operating with four tonight, because we
17 have two folks that are out. So we're down one,
18 but we have a quorum.
19 The first item on our agenda after the Call
20 to Order is the approval of the minutes for the
21 January 2nd, 2024 meeting, as we didn't have a
22 meeting in February.
23 So any comments about the minutes? With Hiram
24 not here, it will probably be pretty quiet.
25 MR. TERRIACO: The Scrutinizer in Chief isn't

1 CHAIRMAN PETERSON: Anything, Ron?
2 MR. TERRIACO: No, sir.
3 CHAIRMAN PETERSON: Andy, anything?
4 MR. LINGENFELTER: Yes, I did.
5 CHAIRMAN PETERSON: Okay.
6 MR. LINGENFELTER: I had some correspondence
7 with a resident that had contacted me regarding the
8 Zoning Resolution for fencing requirements on
9 in-ground pools, and swimming pools I guess in
10 general, would be the issue.
11 And he brought his -- he had a hearing
12 against -- not against -- but a hearing with the
13 Board of Zoning Appeals. He found an alternative
14 solution that is currently approved by the State of
15 Ohio, and it's in the Ohio Revised Code. It's a
16 cover that goes over the pool, that is a suitable
17 alternative to building a fence around the pool.
18 And he came to the Board of Zoning Appeals and made
19 a request to use the cover, and they denied it,
20 primarily because it's not in the Zoning Resolution
21 as an option.
22 So what I would like to do is I would like
23 to -- and I've got a couple of reasons behind
24 this -- but I would like to see the Zoning
25 Commission take into consideration the fencing

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1 issue with regards to pools, and reword our Zoning
2 Resolution and allow for these covers in lieu of
3 the fencing, for a couple of different reasons.
4 Number one, it's in the Ohio Revised Code, so
5 it's something that's already been approved, and we
6 use the Ohio Revised Code as a guideline in many
7 cases for crafting and doing our various
8 legislation with regards to our Zoning Resolution.
9 And number two, I'm not a big fan of fences.
10 I'm just not. I think, aesthetically, they're not
11 very pleasing. I know people sometimes put a lot
12 of effort and a lot of money into putting up
13 fences. But I think fences -- I just don't like
14 them. I'm not a big fan of fences. And when you
15 require people to put in a fence if they put a pool
16 in, you know, you're forcing them into doing
17 something that they may not want to do, but they
18 have no alternative.
19 CHAIRMAN PETERSON: Correct.
20 MR. LINGENFELTER: And so what I'd like to do
21 is I would like to undertake the process, I would
22 like to ask Heather to do some research on this
23 pool cover, and do some looking into various
24 communities around the area, like we do with most
25 issues that we take in front of the Zoning

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1 CHAIRMAN PETERSON: Uh-huh.
2 MR. LINGENFELTER: -- and to consider crafting
3 this legislation, he's offered to come in to give
4 some testimony to the Board and explain -- because
5 he's done quite a bit of research on this, and has
6 quite a bit of information.
7 He also knows a couple other people that are
8 quite knowledgeable in this area, and he has
9 availed himself to the Zoning Commission to be able
10 to come in and talk to us if we put this on the
11 agenda --
12 CHAIRMAN PETERSON: Okay.
13 MR. LINGENFELTER: -- and we take this under
14 consideration, whether it would be in a work
15 session. He could come in, in a work session, and
16 address the Board with any questions, or whatever,
17 that we have. And obviously he'll be here as a
18 resident, I would think, if we have a public
19 hearing --
20 CHAIRMAN PETERSON: Right.
21 MR. LINGENFELTER: -- to allow that, I'm sure
22 he would be here as a person in the public hearing.
23 CHAIRMAN PETERSON: Okay.
24 MR. LINGENFELTER: Counselor, you looked like
25 you were going to ask me a question.

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1 Commission, take a look at what other communities
2 are doing throughout the area and throughout the
3 state, and see if we can craft some verbiage or
4 some wording into our Zoning Resolution that would
5 allow for these covers instead of a fence. I think
6 it would be a win-win.
7 I think we would reduce the number of fences,
8 I think it would be a good thing from an aesthetic
9 standpoint, I think a safety issue. Obviously my
10 first concern is safety, you know, and making sure
11 that we've got a good, safe environment for people,
12 and we don't want to create any liability issues.
13 But in the same token, if this is an opportunity or
14 an alternative that we can do to offset the fence
15 requirement, or at least give people an option to
16 be able to choose between putting up a fence and
17 using this pool cover, I would like to be able to
18 do that.
19 MR. TERRIACO: Sounds good.
20 Out of curiosity, what does this person do
21 when the cover is off, I mean, during the summer?
22 MR. LINGENFELTER: I don't know. And we would
23 obviously -- you know, he's done an extensive
24 amount of research. He's offered to come in
25 when -- if we are able to put this on the agenda --

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1 MS. MATHENY: I am, yes.
2 MR. LINGENFELTER: Yes.
3 MS. MATHENY: First of all, did he mention
4 that he's -- he may be possibly appealing the BZA
5 decision. So my concern is possibly doing this
6 rezoning -- if it's initiated, I'm not sure, by the
7 Zoning Commission, or if it's going to be initiated
8 by the property owner, my concern would be to wait,
9 just make sure if we know he is going to appeal the
10 BZA decision, because that was for an area
11 variance, and it was denied by the BZA.
12 And I understand that he may have mentioned to
13 you there was something in the Ohio Revised Code.
14 I don't know anything in the Ohio Revised Code that
15 allows pool covers, or that requires pool covers in
16 lieu of fences.
17 So I think we just have to be careful as far
18 as the timing is concerned as to when this gets
19 considered by the Zoning Commission.
20 MR. LINGENFELTER: Uh-huh.
21 MS. MATHENY: Okay. I just want to make sure
22 we understand that.
23 MR. LINGENFELTER: Oh, sure.
24 MS. MATHENY: Okay.
25 CHAIRMAN PETERSON: Good point. Right.

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1 MR. LINGENFELTER: Yeah, we talked about the
2 appeal process. You know, he had approached me
3 prior to his hearing with the BZA. He was looking
4 for some guidance, and I talked to him about it.
5 I wasn't real confident that he was going to be
6 successful, but I didn't say anything. I didn't
7 want to temper his enthusiasm.
8 He contacted me after the hearing and told me
9 that his request was denied, and he was asking me
10 what the recourse was at that point. And I told
11 him, you know, that the BZA is kind of the final
12 arbiter on these kind of issues, and that he would
13 either have to appeal, or you know, the other
14 alternative would be to sue, to see if he could
15 take it to court.
16 And I told him, I said, before you engage
17 lawyers -- no intent -- but to engage a law firm
18 and start spending money like that, I thought it
19 might be a good idea to let's look at some
20 alternatives and maybe some other ways we can go
21 about this.
22 MS. MATHENY: Which is also something that's
23 definitely an option for him. He can initiate the
24 amendment.
25 MR. LINGENFELTER: Right.

11
1 consideration.
2 CHAIRMAN PETERSON: Okay.
3 Any problem putting that on one of our
4 potential look-sees at some of the zoning
5 amendments in the future, that we could go back and
6 revisit that, you know, with some new facts, see if
7 there's anything we would want to change? Could
8 that be a future agenda item, in other words?
9 MS. FREEMAN: If the Board would want to take
10 that up, that would be fine.
11 CHAIRMAN PETERSON: Okay.
12 MS. FREEMAN: Although what legal counsel has
13 indicated, the timing of that, we may want to hold
14 off on that a little bit.
15 CHAIRMAN PETERSON: I agree. I agree.
16 In the meantime, maybe look around, see what
17 other communities are doing. Let's see more about
18 whatever this cover would be.
19 I still don't imagine -- I can't imagine a
20 cover that you'd put on every night, you know. But
21 maybe you can. I have a neighbor that pushes a
22 button, and it covers. So maybe it's something
23 like that.
24 MR. LINGENFELTER: I don't really know too
25 much about it. This is just, you know, strictly on

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1 MS. MATHENY: Just keep that in mind. That is
2 definitely an option.
3 MR. LINGENFELTER: Right.
4 MS. MATHENY: He can do it.
5 MR. LINGENFELTER: Right.
6 MS. MATHENY: Okay.
7 MR. LINGENFELTER: Yep.
8 MS. MATHENY: Okay.
9 MR. LINGENFELTER: So I think it's a worthy
10 issue. I think it's something that we should
11 consider as a Board, and with legal counsel's
12 guidance on this, obviously, and with Heather doing
13 some research, and making some recommendations, and
14 maybe putting together -- crafting some initial
15 verbiage, I think it would be a great -- it's an
16 alternative.
17 I don't think we want to lay it down to where
18 we're going to eliminate fencing as an option, and
19 just put it all in favor of the pool cover, if
20 that's the case. I think it would just be nice --
21 any time you can give somebody an option and say,
22 you can do this or that, either/or, I think is a
23 good thing for the residents, and I think is a good
24 thing for the community, and I think that it's
25 something that's worthwhile taking into

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1 a correspondence basis.
2 CHAIRMAN PETERSON: Okay.
3 MR. LINGENFELTER: You know, so I thought
4 that the opportunity to discuss this during the
5 correspondence part of the agenda would be a good
6 time to introduce this information --
7 CHAIRMAN PETERSON: Okay.
8 MR. LINGENFELTER: -- and decide as a Board.
9 I think we can decide what we want to do
10 collectively and go from there.
11 CHAIRMAN PETERSON: Very good.
12 MR. LINGENFELTER: Thank you.
13 CHAIRMAN PETERSON: Thank you, Andy.
14 I had no correspondence myself, so we'll
15 conclude the Correspondence section.
16 Public Participation. Obviously we have no
17 public here tonight, so we'll move on to the next
18 item, which is Old Business. And we have no old
19 business on the agenda for tonight.
20 So we'll move on, then, to New Business. And
21 the one item we have on here for new business is
22 discussion about potential work sessions for
23 updates to Zoning Resolution text.
24 And Heather gave us a handout to take a look
25 at here, dated February 27th, 2024. And it's a

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1 memorandum to us, the Zoning Commission, to
2 consider taking a look at some of these.
3 Did you want to go through this, Heather?
4 MS. FREEMAN: Sure, I'd be happy to go through
5 it. Yeah.
6 CHAIRMAN PETERSON: Okay.
7 MS. FREEMAN: I know not that long ago we did
8 kind of take a pretty decent look at our commercial
9 and industrial district uses. However, I think it
10 wouldn't be a bad idea, and I kind of -- after
11 recently attending the Ohio Township Association
12 Winter Conference, I sat in on a session that
13 talked about, like, looking at your Zoning
14 Resolution and, you know, just really looking at
15 the uses that are in there, and determining whether
16 or not some of those uses are still current uses,
17 or if there's new uses that are more prevalent in
18 your areas that we need to potentially take into
19 consideration.
20 And I know we looked at commercial, but I
21 don't think it would hurt again to maybe look at
22 that comprehensively and look -- like a hard look
23 at some of our residential uses.
24 So some of the things that first came to mind
25 was some of the impacts that we're having with

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1 throughout the community. Internet/sweepstakes
2 cafes, things like that.
3 The other --
4 MR. LINGENFELTER: Didn't we -- excuse me,
5 Heather.
6 MS. FREEMAN: Yes.
7 MR. LINGENFELTER: Didn't we have a
8 conversation on the internet cafes before, the
9 internet/sweepstakes cafes, didn't we have that?
10 MS. FREEMAN: Not while I was here.
11 MR. TERRIACO: It goes back to Bruce.
12 MR. SCHINDLER: Yeah.
13 CHAIRMAN PETERSON: I think we did. I think
14 we did, Andy, but it's some time ago.
15 MS. FREEMAN: Okay.
16 MR. LINGENFELTER: Because that became --
17 there was a boom in that business a few years ago.
18 MS. FREEMAN: Right.
19 MR. LINGENFELTER: And they were popping up
20 everywhere.
21 MS. FREEMAN: So we don't allow them --
22 they're not explicitly permitted in our Zoning
23 Resolution, therefore they potentially are
24 prohibited.
25 MR. LINGENFELTER: Right.

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1 these residential care type facilities and group
2 homes, and those kind of uses operating in some of
3 our commercial districts, and some of the demands
4 that -- the strains that puts on our EMS services
5 in the Township, and really kind of maybe taking a
6 look at, you know, where those really could be,
7 should we make some changes on allowing those in
8 various areas. Also, like, some of the group
9 homes.
10 The other thing that had come to mind really,
11 too, is we have some broad categories. And broad
12 is good, too, but sometimes you might want to
13 regulate -- this is under B here, Number 1 B, maybe
14 defining some more specific uses that could
15 potentially fall in more general terms, like
16 personal services and retail. So some of these
17 examples -- like vape shops right now would fall
18 under our definition of a retail.
19 So I know that in Concord, we don't have a
20 prevalence of those type of facilities, but there
21 are other areas in Lake County and Ohio where, as
22 soon as one pops up, you start to get a whole bunch
23 of them. So would the Township, the Zoning
24 Commission, want to maybe further define some of
25 those uses, so we could maybe regulate them better

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1 MS. FREEMAN: But should we maybe define it?
2 That way, we can separate it from something else,
3 and thereby not -- and this is something that we
4 have to work with legal counsel on, too, their
5 thought process on some of these things, as well.
6 But that's a good point. Yeah, right.
7 So I guess if someone were to come to me now
8 and ask, can we do that, I would probably look at
9 the Zoning Resolution. And it's not specifically
10 in there, but does that fall under some other
11 category that someone might try to argue that it
12 fits under. That might not be a good example of
13 one.
14 MR. LINGENFELTER: Oh, I know now that there's
15 legalized gambling, you know, with a lot of these
16 gambling facilities and sites, I know that -- and I
17 don't know, and I would probably lean on legal
18 counsel to advise, but I don't know that the things
19 that we did when we did them, when the internet
20 cafe gambling facilities were popping up, if that
21 would encompass -- if that would be good enough to
22 cover us with where we're at today versus where we
23 were several years ago. Technology changes,
24 methods and means of doing these things change.
25 Would it make sense to maybe revise that, or

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1 revisit that, and kind of see where that's at, and
2 then if we need to tweak it, it might be a good
3 idea.
4 MS. FREEMAN: Yeah.
5 MR. LINGENFELTER: Okay.
6 I'm sorry, Heather. Go ahead.
7 MS. FREEMAN: No, that's fine. Yeah, that's
8 good information. Because I didn't even know that
9 you guys even took that up.
10 MR. LINGENFELTER: That was pre you?
11 MS. FREEMAN: Yeah.
12 MR. LINGENFELTER: Wow. Okay. Boy, that
13 surprises me. Okay. Yeah, because it was a big
14 issue.
15 MS. FREEMAN: Yeah.
16 MR. LINGENFELTER: And I think the Trustees
17 actually had asked us to take that under
18 consideration at the time, because they were -- I
19 mean, any open spaces in retail, you know, plazas,
20 strip plazas, and whatnot, these internet cafe
21 things were popping up everywhere.
22 MS. FREEMAN: And I'm guessing that the intent
23 was to not allow them --
24 MR. LINGENFELTER: Right.
25 MS. FREEMAN: -- because we don't.

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1 But we have a lot of other conditional type
2 uses that fall under more public and institutional
3 uses. And I thought it might be a good opportunity
4 to take a look at those and see if those are still
5 desirable in some of those residential districts,
6 are they still uses that people would potentially
7 do in this area, are there other uses that we need
8 to maybe add. You know, we've not really talked
9 about accessory dwelling units or in-law suites.
10 Our Zoning Resolution doesn't really address those.
11 I know that with our aging community, and a
12 lot of questions that I get just being in the
13 Zoning office, a lot of folks ask about accessory
14 type dwelling units, they ask about in-law suites,
15 which, you know, it's kind of a gray area. Like
16 when we get plans in for additions, and we see
17 that, you know, master bedroom, the kind of little
18 kitchenette thing, it's kind of treading on, is
19 this a dwelling unit, is this an in-law suite?
20 It's kind of a gray area.
21 So it might be an opportunity, if we really
22 want to truly allow in-law suites, like, write it
23 in the Resolution in a way that we can regulate it,
24 however the community feels good about it, you
25 know. Or is it an accessory dwelling unit, you

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1 MR. LINGENFELTER: Yeah, we wanted to restrict
2 where they could be. And it was very similar in
3 scope with some of the other undesirable businesses
4 that we wanted to try to head off at the pass.
5 And we made some changes to the Zoning
6 Resolution to keep -- if we were going to allow
7 them, it was in a very restricted space.
8 MS. FREEMAN: Gotcha.
9 MR. LINGENFELTER: I mean, we really narrowed
10 it down to where they didn't have a whole lot of
11 options where they could go or what they could do.
12 MS. FREEMAN: Okay.
13 MR. LINGENFELTER: And we might want to just
14 revisit that, and see if it covers us from a
15 technology standpoint today, because the landscape
16 has changed.
17 MS. FREEMAN: Right, yeah. And those are good
18 reasons to go back and kind of reevaluate, you
19 know, the uses that you do permit.
20 So also looking, like, at some of our
21 residential districts, which we really haven't
22 looked at much at all, as far as uses, since I've
23 been with the Township. And we have our
24 traditional permitted uses, like single family,
25 two-family dwellings.

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1 know. So looking at some of the different housing
2 options that would fit in with the existing
3 environment within our R1 and R4 districts.
4 We all know that we're aging. Especially in
5 Concord Township, people are looking for
6 alternatives. They want to stay here. I've had
7 lots of people tell me stories that they're putting
8 additions on so mom or dad can move in with them,
9 those kind of things. And it's just maybe possibly
10 looking at some of those options, as well, while
11 taking a look at some of the uses.
12 I know, also, like we have some outdated
13 sections in our Zoning Resolution, some things in
14 here that -- for example, our Section 32 that has
15 to do with the oil and gas well regulations. I
16 don't think these are in accordance with the Ohio
17 Revised Code. I haven't talked to Bridey about
18 that. But I do know that townships do not have the
19 authority to tell oil and gas well drillers where
20 they can put the wells, and that's pretty much what
21 our resolution is saying. So if that is obsolete
22 and we can no longer enforce that, like maybe we
23 just take that out.
24 Also, maybe taking a look again at Section 33,
25 our satellite receiving antenna dish type. I never

1 really had to look at that until recently, when
 2 someone brought that up to me. So just maybe
 3 taking another look at that, and seeing if that
 4 technology or what we have in there is still what's
 5 going on with satellite dishes, and TV, and all
 6 that kind of stuff.
 7 CHAIRMAN PETERSON: Yeah, there's a new one,
 8 Starlink, the network that Elon Musk put up with
 9 satellites for internet services.
 10 MS. FREEMAN: Okay.
 11 CHAIRMAN PETERSON: They're offering that now.
 12 You can sign up for that, but you have to have an
 13 antenna on your house to be able to receive it.
 14 It's super high speed internet, based on his
 15 network of satellites. But it's an antenna that
 16 you have to put on the outside. I'm not sure how
 17 big it is, or what it entails.
 18 MS. FREEMAN: See? Changes in technology,
 19 right? Yeah.
 20 MR. LINGENFELTER: I mean, I think what we
 21 were dealing with when these things were first
 22 initiated into the Zoning Resolution was we were
 23 dealing with satellites that were 10 feet in
 24 diameter --
 25 MS. FREEMAN: Yeah, yeah.

1 in our Zoning Resolution regarding temporary uses,
 2 but we do know that people do put up temporary snow
 3 fencing in the winter or construction fencing while
 4 they're doing projects. But I've had issues where
 5 people put up that snow fencing or that
 6 construction fencing, and they leave it up. They
 7 just leave it up. And it's like, okay, they didn't
 8 have -- it goes up, and then usually it goes away.
 9 But then when it stays up, it's like, okay, it
 10 doesn't really meet our fencing standards or styles
 11 of fencing that you're allowed to have up.
 12 So it would be nice to maybe add something in
 13 there that acknowledges that people put up this
 14 type of fencing seasonally or during construction,
 15 and then that after a certain time -- it can't be
 16 there forever, you know, basically, without a
 17 permit.
 18 MR. LINGENFELTER: That becomes an enforcement
 19 issue, right?
 20 MS. FREEMAN: It might be, yeah. Like there's
 21 a house right now over on Prouty Road by
 22 Bridgecreek, and they have these really big
 23 evergreen trees. And this winter, they put up this
 24 super tall, like, screening kind of fencing. And I
 25 think it's for the winter, to try to keep the

1 MR. LINGENFELTER: -- that took up a
 2 significant footprint on somebody's property.
 3 MS. FREEMAN: Right.
 4 MR. LINGENFELTER: You know, now we're dealing
 5 with a satellite dish that's this big, that sits
 6 under the eave of somebody's house. You don't even
 7 see it, if you don't look for it.
 8 MS. FREEMAN: Right.
 9 MR. LINGENFELTER: So we're dealing with a
 10 much different environment than what we were
 11 dealing with. Again, technology changes.
 12 MS. FREEMAN: Correct.
 13 MR. LINGENFELTER: The landscape has changed,
 14 you know.
 15 MS. FREEMAN: Yes.
 16 MR. LINGENFELTER: I mean, that thing with
 17 Starlink could be a little, tiny antenna this big.
 18 CHAIRMAN PETERSON: It could be.
 19 MR. LINGENFELTER: Or it could be --
 20 CHAIRMAN PETERSON: A microwave antenna.
 21 MR. LINGENFELTER: Right, right. Exactly.
 22 That's a good point, though, Rich. Good
 23 point.
 24 MS. FREEMAN: Another thought was to maybe
 25 take a look at some of our -- we don't have a lot

1 stuff -- you know what I mean?
 2 I haven't gone to talk to them, to see what it
 3 is. You know, it's kind of like, well, it's kind
 4 of like they're keeping the landscaping, you know,
 5 safe during the winter. Because it's like the
 6 first year it ever popped up.
 7 So I don't know. Like, is that a zoning
 8 violation right now? Should I be going to deal
 9 with that, or should I wait until winter is over,
 10 and then if it's still up, then go approach them?
 11 So it's kind of --
 12 MR. LINGENFELTER: Like the screen material,
 13 that looks like burlap?
 14 MS. FREEMAN: Yes.
 15 MR. LINGENFELTER: Yeah.
 16 MS. FREEMAN: But it's super tall. It's like
 17 10 feet tall, probably.
 18 MR. LINGENFELTER: Right. I think I know
 19 which house you're talking about.
 20 MS. FREEMAN: Yeah.
 21 And so it was odd, like, to see. I mean, I
 22 don't want to go -- I mean, it would be okay, I
 23 think, on a temporary basis, if that is the purpose
 24 and intent, to like, during the winter, protect the
 25 landscaping or something like that. But if they

25
1 were to keep it up year round, you know, that could
2 be a fence, technically, the way they've
3 constructed it, a barrier, I mean, our definition,
4 and I guess I could enforce it that way.
5 But it was just the thought to maybe
6 acknowledge those kind of uses in our fencing.
7 It's an idea.
8 MR. SCHINDLER: It is a material, and it is to
9 keep the salt off in the wintertime, from the salt
10 spray to go up.
11 If they put that up, they would probably take
12 it down on their own, because if you leave it up in
13 the summer, now it burns the shrubs.
14 MS. FREEMAN: Oh, okay.
15 MR. SCHINDLER: So it's not something, I don't
16 think, that they would keep up all year round.
17 MS. FREEMAN: Yeah.
18 MR. SCHINDLER: Right.
19 MR. LINGENFELTER: I think a lot of times it's
20 a multiple use thing.
21 MR. SCHINDLER: Yeah.
22 MR. LINGENFELTER: I think it's salt, you
23 know, slush and snow coming from the plows.
24 MR. SCHINDLER: Right.
25 MR. TERRIACO: I think it's also wind.

27
1 other communities, like, even address that, you
2 know. Or maybe they just kind of let it go, kind
3 of thing, and if it's a problem, then go and
4 approach the homeowners at that point, you know.
5 CHAIRMAN PETERSON: Okay.
6 MS. FREEMAN: But looking at uses, again, we
7 have this other -- moving on to Number 2 on my
8 memo, under Section 602, we have this section,
9 Prohibited Uses.
10 And some of this was written, like, from the
11 very beginning of time, when we adopted our first
12 Zoning Resolution in 1955. So again, there's
13 things in there that we're prohibiting. Should we
14 take a look at that to see if those are things that
15 we still need in there, are there other things that
16 we need to add, and just kind of taking a look at
17 that, in conjunction with looking at all the other
18 uses in the community.
19 And I was going to put this under the Zoning
20 Inspector report, but as you know, like in the
21 State of Ohio, the medicinal -- or the recreational
22 marijuana is legal now, and the Trustees in the
23 townships are able to regulate whether or not we
24 want to have the retail or the processing and
25 cultivation facilities within the community.

26
1 MS. FREEMAN: Yeah.
2 MR. LINGENFELTER: And cold, extreme cold. I
3 know there are certain --
4 MR. SCHINDLER: Shrubs.
5 MR. LINGENFELTER: -- shrubs and trees and
6 things that are very, very sensitive to the winters
7 here --
8 MR. SCHINDLER: That's right.
9 MR. LINGENFELTER: -- and so they've got to
10 try to protect them, to try to save them from
11 getting damaged.
12 MR. SCHINDLER: Damaged.
13 MR. LINGENFELTER: But I would be shocked if
14 somebody was going to leave that up year round.
15 MS. FREEMAN: Right.
16 MR. LINGENFELTER: But it wouldn't be a bad
17 idea to drop a note in their box to say, hey, just
18 so you know, there's a time to live on that.
19 MS. FREEMAN: And that's okay. If you guys
20 don't want to look at that kind of stuff, too --
21 you know, it's not that big of a deal.
22 MR. LINGENFELTER: Uh-huh.
23 CHAIRMAN PETERSON: It doesn't hurt to take a
24 look at it, though.
25 MS. FREEMAN: I would be interested to see if

28
1 The Trustees actually passed a resolution in
2 February of this year prohibiting those type of
3 uses in Concord. They decided that would not --
4 those are not uses that they would want to have
5 here.
6 So I wanted to bring that first to your
7 attention, just so you know. And I had thought,
8 too, I don't know if we need to maybe potentially
9 cross reference some of these other resolutions,
10 that someone might not be aware of, but if you put
11 it in a Zoning Resolution, we could add that list
12 per the Trustee resolution that was passed. We
13 should probably add that in there as a cross
14 reference.
15 Some communities, too, are looking at those,
16 like, CONEX containers, the shipping containers,
17 and deciding whether or not those are appropriate
18 in their communities. And I didn't know if that
19 was a topic that this Board wanted to bring up, as
20 far as allowing folks to use those shipping
21 containers as accessory buildings.
22 Because they would technically meet our
23 definition of a building, having at least, you
24 know -- and if you're not in a community with,
25 like, an HOA with deed restrictions, and your

1 neighbor wanted -- and somebody wanted to use one
2 of those as an accessory building, as long as it
3 met all the setback requirements, height, location,
4 and everything like that, you know, you would have
5 to approve it.

6 So that is kind of a new use that people are
7 using for storage. I know they're also using them
8 to build homes, and things of that nature, as well.
9 But is that something that we want to address in
10 our zoning?

11 I haven't even talked about this with Bridey
12 yet, either, so I don't know if we could
13 potentially even -- I don't know, is that a
14 building material or not, or could we regulate
15 that? Is that something the Board would not want
16 to see in Concord, or would you be okay with those
17 kind of things being used as buildings?

18 And along those lines, too, tents, or like
19 softer kind of like fabric structures, more of like
20 a temporary in nature. A lot of people use them
21 like as carports. But I recently had some property
22 owner that erected a rather large tent. And this
23 was a complaint that I already received from
24 someone. And upon my inspection, they were using
25 it as a building, and someone was actually living

1 discussions many, many, many years ago with regards
2 to temporary structures. And one of the reasons
3 that they had undertaken that for the Zoning
4 Resolution in Concord was because people were --
5 they were leveraging themselves to the point where
6 they didn't have the money and an alternate
7 residence, so they were basically living in the
8 basement of the home that they were building, or
9 they were putting up tents, to live in the tent on
10 the property while they were building their own
11 home, physically building their house. So that was
12 an issue, because then people -- you know, people
13 would say, hey, I don't have to -- there's no hurry
14 for me to get my house done because I've got
15 quarters, I've got a place I can stay, you know,
16 and live.

17 So consequently, you get these tents and then
18 temporary structures that people were using to live
19 in, and it was being an extended period of time
20 while they were building their home. So that was
21 one of the impetus behind starting to limit that as
22 an option, because people are creative, they'll
23 come up with ideas, you know, with things like
24 that. Yeah.

25 Now, with the shipping containers, I agree,

1 in it.

2 And I sent them a letter, and you know, I just
3 kind of -- what I cited him on was that this was a
4 building, you didn't have a permit, and by the way,
5 you have too many buildings anyway, so I wouldn't
6 be able to issue you an approval. So they took it
7 down, and it hasn't been an issue.

8 That's just another weird thing that I had to
9 deal with this year, you know, that I do. And that
10 was okay, it all worked out. But it just brought
11 to my attention that, you know, do we want to allow
12 people to have those more temporary type structures
13 as buildings, tent-like materials? We could define
14 it. You can prohibit it, if you didn't think it
15 was appropriate, or we could just leave it as is.

16 I do know, I had reached out to Painesville
17 Township on that one, to see if they had ever come
18 up with any -- had any other kind of situation such
19 as that in their community. But they did have some
20 regulations in their zoning regarding the shipping
21 containers, and their Trustees did not want folks
22 to use tent-like materials for buildings.

23 MR. LINGENFELTER: Well, I know that the
24 impetus -- I've been on the Zoning Commission for
25 a long time now, and I know that we had some

1 that's something that needs to be considered,
2 because people are using them more and more, you
3 know, for -- aside just from storage. So I think
4 it would be a good idea to look at that.

5 MS. FREEMAN: And the next thing, Number 3 in
6 the memo. So the Ohio Revised Code, back in April
7 of 2023, it gave townships the authority to
8 regulate small solar facilities. And those could
9 be either like solar panels that people, like,
10 put on their homes, or they might have them
11 freestanding in their yard, but basically it's a
12 single connection to the grid. It's not like the
13 solar farms, like the ones that create more than
14 50 megawatts. Those, we don't have any authority
15 to regulate. The counties do.

16 But through zoning, we could regulate, like,
17 the location, how they're constructed, maintenance,
18 removal, enlargement of those, like as an accessory
19 structure, such as like a satellite dish that we
20 have, you know, already.

21 I do have a sample resolution that the Ohio
22 Township Association put out. I'd be happy to give
23 it to you guys, if it's something that you guys
24 want to look at on a future work session. We could
25 easily integrate it into residential districts or

1 commercial districts in our table of uses as one
2 more, like, kind of accessory use. Some
3 communities write a whole other section on it. I
4 don't know that we would need to do that.

5 Right now, the calls that I usually get from
6 folks is, they're doing like the rooftop solar
7 panels. And so the installation companies are
8 calling me saying, hey, do we need approvals on
9 rooftop solar panels.

10 And the way I've kind of been treating it is
11 that as long as they're going to the Building
12 Department and getting approval, then I'm not
13 requiring a zoning permit, because we don't
14 specifically address it in the Zoning Resolution.

15 But I know some communities have written it
16 where they allow the rooftop, but they put
17 restrictions in, like maybe it has to be on the
18 back side of the roof, not facing the street, and
19 then maybe they don't allow, like, the ground-based
20 accessory type ones, or if they do, they have
21 setbacks for them, and put possibly screening,
22 depending on what's on the other side.

23 So that's just, again, new technology, new
24 authority from the Ohio Revised Code, if that's
25 something that we would like to address in our

1 doesn't necessarily apply to them, because they're
2 not zoned residential.

3 So like under the Commercial Vehicles, under
4 29.10 D., we allow -- if the property is zoned
5 residential, and you have a home there, and you
6 have a work vehicle, a commercial motor vehicle
7 that you drive to and from work every day, you're
8 allowed to bring it home, you know, with these
9 restrictions in there. But if the lot is not
10 zoned residential, then it technically wouldn't
11 allow you to do that. But if it's being used for
12 residential, you would want to still give that same
13 property owner the ability to bring home that work
14 vehicle if it still met all the criteria.
15 So that's one of the examples.

16 MR. LINGENFELTER: Do we have anything,
17 Heather, that would -- let's say, for instance,
18 you've got a home, a residential home, it's in a
19 commercial district.

20 MS. FREEMAN: Okay.

21 MR. LINGENFELTER: Okay, so that's a
22 nonconforming issue.

23 When that property changes hands, does a
24 change have to be -- does it have to come into
25 compliance at that point? Is the original owner

zoning.

MR. LINGENFELTER: What about windmills?

MS. FREEMAN: We could do that, too.

CHAIRMAN PETERSON: Good point, though.

MS. FREEMAN: Yeah, yeah. We had that
authority, too, for a while, which we've never
taken that topic up, either.

And then lastly, Number 4, it really has to do
with Section 29.10. And these are the existing
parking requirements that we have for residential
districts.

So right now, the way it's written in 29.10,
this is for -- these are parking requirements that
are only applicable to residential districts. And
I'm wondering if it would be a good idea to maybe
open this up to not only properties that are zoned
for residential, but also properties that are being
used for residential. Because this would capture
some of those, like, houses that are actually on
commercial property.

So over here on Ravenna Road, we have several
nonconforming homes that are on commercially zoned
land, that potentially have campers, trailers,
being parked on them, boats, and things of that
nature. But the way this section is written, it

grandfathered in so they don't have to make any
changes, but if they go to sell that house, that it
can't be used as a home anymore if it's in a
commercial district?

MS. FREEMAN: No, they can still use it as a
home. Yeah. The nonconforming section of our
Zoning Resolution, Section 7, as long as a
nonconforming use has been continued, and not
discontinued for a certain amount of time, they
have that right, to continue to use that. So you
can't make them get rid of it.

MR. LINGENFELTER: No, but I'm saying, if --
you know, if it's grandfathered in, and you've got
a home that's in a commercial district, and it's a
residential home, and you're the original owner,
and let's say, for instance, that it was a
zoning -- a rezone took place, and now you're in a
commercial district, when you weren't when you
built the house, okay, but now you're a
nonconforming -- we had some other issues like
that, I think in manufacturing, if I recall.

So would you -- if the person sells the
home, why wouldn't they have to then come under
compliance with the new -- because the
grandfathering would no longer be in effect, I

1 would think. Yes, no?
 2 MS. FREEMAN: Maybe Bridey can chime in on
 3 that.
 4 MS. MATHENY: I'm sorry, can you ask the
 5 question again about the nonconforming?
 6 MR. LINGENFELTER: I'm sorry?
 7 MS. MATHENY: Can you ask that question again?
 8 I'm sorry, I missed the last part.
 9 MR. LINGENFELTER: I'm saying, you build a
 10 home, you have a residential home, and it's in a
 11 residential district, and it gets rezoned to
 12 commercial. Okay, now you've got a nonconforming
 13 use for your property. You've got a residential
 14 home in a commercial district. Okay, but you were
 15 there already --
 16 MS. MATHENY: Sure.
 17 MR. LINGENFELTER: -- when that change took
 18 place. So you're grandfathered in. And I'm okay
 19 with that. I understand those things happen.
 20 However, now you sell that property --
 21 MS. MATHENY: Sure.
 22 MR. LINGENFELTER: -- okay, to a new person.
 23 Could you stop them from using that as a
 24 residential property?
 25 MS. MATHENY: No. It's still a nonconforming

1 force that issue to come into compliance.
 2 MS. MATHENY: That's correct. Or if they do
 3 something where they expand their nonconforming
 4 use, they would have to come into compliance, I
 5 believe, with the commercial district.
 6 MR. LINGENFELTER: Right.
 7 MS. MATHENY: So in other words, let's say --
 8 I don't even know. If they were to build an
 9 addition to their house, wouldn't they have to --
 10 because that's an expansion of the legal
 11 nonconforming use. I'm pretty sure they have to --
 12 the expansion would either have to get some sort of
 13 variance, or they would have to comply with the
 14 commercial zoning districts. I don't think you can
 15 expand the footprint of your legal nonconforming
 16 use.
 17 MR. LINGENFELTER: Is there anything we could
 18 do from a Zoning Resolution standpoint that would
 19 prevent that from continuing on, or no?
 20 MS. MATHENY: I mean, I think that's actually
 21 by Ohio Revised Code, as far as the nonconforming
 22 and the discontinuance, the period of time. Now,
 23 maybe the period of time can vary, but I think
 24 it's -- I'd have to look at the Ohio Revised Code.
 25 It may read, like, at least six months of a

1 parcel.
 2 MR. LINGENFELTER: Right. So we couldn't
 3 enact anything that would force them to then come
 4 into compliance with the commercial district that
 5 it's in and say, okay, you can sell this property,
 6 you're certainly welcome to do that, however,
 7 somebody just can't move in and take up residence,
 8 and just use this as a residential property because
 9 you're in a commercial district.
 10 MS. MATHENY: Right, I don't think so, because
 11 it was a legal nonconforming use before the
 12 rezoning. And if it's the same legal nonconforming
 13 use when you sell it, yeah, they don't have to
 14 comply with the commercial zoning districts.
 15 Now, if for some reason it sat vacant for
 16 however many years it is, and the nonconforming use
 17 could then be deemed discontinued, then if it gets
 18 then sold after that expiration of time, then yes,
 19 they have to comply with the commercial zoning
 20 district regulations.
 21 MR. LINGENFELTER: Right. So it would have
 22 to basically become vacant, or not used for a
 23 specified period of time --
 24 MS. MATHENY: Correct.
 25 MR. LINGENFELTER: -- in order to be able to

1 discontinuance. I'm not sure what we have in
 2 our code. Is it a year?
 3 MR. LINGENFELTER: Right.
 4 MS. MATHENY: I don't know. But maybe that's
 5 what can vary, is the time frame.
 6 CHAIRMAN PETERSON: But that seller would have
 7 an advantage, because they could sell it as
 8 residential, or if somebody commercial comes along,
 9 you could sell it to commercial.
 10 MR. LINGENFELTER: Well, sure. Right.
 11 CHAIRMAN PETERSON: So they sort of gain on
 12 that a little bit.
 13 MS. MATHENY: I can also look and see if
 14 there's anything under the Home Rule provisions --
 15 Concord is obviously a Home Rule township -- and
 16 see if there's anything under that with respect
 17 to -- maybe you have more flexibility there. I'll
 18 have to look.
 19 MR. LINGENFELTER: Yeah, I'd be curious.
 20 MS. MATHENY: Yes.
 21 MS. FREEMAN: Maybe I should have passed -- I
 22 do have kind of -- sorry. For this Section 4 on
 23 here, I did kind of have part of this printed out
 24 for you guys.
 25 MR. LINGENFELTER: I'll pass them out.

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1 MS. FREEMAN: This is something I was thinking
2 about in the office. I was getting a little ahead
3 of myself, even though you guys didn't say you
4 wanted to work on this, per se.
5 I didn't leave one for myself. Sorry.
6 But this Section 29.10, this is kind of what I
7 was summarizing in my memo to you.
8 So one of the things that -- you know, having
9 a new Assistant Zoning Inspector really got us
10 looking and diving into some of these regulations,
11 which is good. It kind of challenges the
12 interpretation on some of this, and brings up
13 questions.
14 So Mike and I were talking about these
15 sections. And we've got this provision in here
16 under Section A, Number 5, that basically if your
17 parcel of land is two acres or greater, you're
18 allowed to park or store your vehicles anywhere on
19 the property. They don't have to be on a driveway
20 or a parking area.
21 And I wasn't sure what the thought process of
22 that was, you know, when the Township originally
23 adopted that, and if that was something that, you
24 know, would still -- we would still want to do. Or
25 if folks are going to park or store their cars

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1 that. Years ago, I lived on Coleridge Road up
2 off of 84 in Concord. That was my first home in
3 Concord. And I had a neighbor who retired as a
4 fireman, and as his second career bought a Snap-on
5 truck, where they sell Snap-on tools, and it had a
6 big socket wrench on the side of the truck, 15 feet
7 long.
8 MS. FREEMAN: Yeah.
9 CHAIRMAN PETERSON: And he'd back into the
10 driveway. And it kind of blocked everybody's view
11 down the street because that truck was so huge,
12 but that was his income, you know. And everybody
13 liked the guy, so nobody formally complained. But
14 it was kind of a -- kind of an obstacle in the
15 neighborhood, to have this big white Snap-on truck
16 sitting there.
17 MS. FREEMAN: Uh-huh.
18 CHAIRMAN PETERSON: So that would fall into
19 this category here somewhere.
20 MS. FREEMAN: Because we've had some instances
21 where we've tried to enforce our utility type
22 trailer parking requirements. And I don't know if
23 it's a definition thing, or what it is. But like a
24 utility trailer definition, if you own a trailer,
25 and you're using it for your own personal, you

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1 outside, should that be related to their lot size,
2 you know, as to whether or not they're allowed to
3 park on the grass, or they have to be on a driveway
4 or an improved surface. Something to consider.
5 And the other -- this has to do with
6 Section D. under the Commercial Vehicles, as well.
7 So some of the commercial motor vehicles that we
8 allow residents to bring to and from their property
9 if they drive them to work, we also have this
10 provision that talks about, and the trailer.
11 So say if you have a landscaper who brings his
12 pickup truck and his large trailer home every night
13 to and from work, this would allow them to bring
14 the large landscape trailer, park it in their
15 driveway, and not have to meet any of the utility
16 trailer screening requirements, or setback
17 requirements, or whatever we have for
18 non-commercial type trailers.
19 And I just wanted to know whether or not that
20 was a concern, or like if we wanted to allow those
21 kind of folks to bring home those large kind of,
22 you know, trailers that are being used for
23 commercial purposes, as long as it's attached to
24 their work vehicle every day.
25 CHAIRMAN PETERSON: I had a situation like

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1 know, things, not business related, then you're
2 allowed to have it on your property, as long as
3 it's parked at the minimum building setback line,
4 on an approved surface, and screened from your
5 neighbor.
6 However, if the trailer is your commercial
7 motor vehicle trailer, you don't have to follow the
8 same setbacks, screening, surface area
9 requirements. It's kind of -- they don't -- maybe
10 we need to look at them and make them the same
11 requirements, or maybe we need to not allow the
12 more commercial type trailers to be coming to and
13 from residential properties. There's kind of a
14 mismatch there.
15 Because then you get into this, is it
16 commercial or is it not. And I've had that debate
17 with property owners before, who have said, well,
18 this is my utility trailer, I use it for business,
19 it's commercial, and it says right here I'm allowed
20 to have it.
21 I'm sure you know what I'm talking about,
22 Frank.
23 MR. SCHINDLER: Yes, I know exactly what
24 you're talking about.
25 CHAIRMAN PETERSON: Ten acres is a lot

1 different than a half acre lot.
 2 MS. FREEMAN: Yeah. And you have to think
 3 about that now. In our community, we have quarter
 4 acre lot developments.
 5 CHAIRMAN PETERSON: Uh-huh. Yeah.
 6 MS. FREEMAN: And half acre. And even a half
 7 acre is not that big, right? I mean, these homes
 8 are -- well, like if you're in the RCD district,
 9 your house could be 30 feet back from the
 10 right-of-way. So 30 feet plus another, maybe,
 11 15 feet of, you know, your apron to the street,
 12 45 feet back from the road, you back in your pickup
 13 truck and your commercial utility trailer, it takes
 14 up your whole driveway.
 15 CHAIRMAN PETERSON: Uh-huh.
 16 MS. FREEMAN: It's something that maybe we
 17 should look at and make sure either they're treated
 18 the same, or maybe we don't allow the commercial
 19 utility trailers to come home. I don't really
 20 know. So I just wanted to point that out.
 21 And then two other really quick things. Under
 22 Section E., we have this Display of Vehicles, for
 23 recreational vehicles. And we allow people that
 24 live in residential districts, if they have a car
 25 that they want to offer for sale, we do allow for

1 okay, we had an instance where somebody had an
 2 issue with an RV, and it wasn't in the right
 3 requirement. All she had to do was slap that
 4 For Sale sign on there, and she's compliant.
 5 The thought was maybe to add some time limits
 6 on, if we want to allow them to offer those items
 7 for sale. I don't have any problem with people
 8 selling things, you know. We want to give them
 9 that opportunity, you have your own car, you want
 10 to sell it, whatever. But it also allows for the
 11 recreational vehicles, which I think could be a
 12 loophole.
 13 And then moving on, just right after that
 14 Section F., the Construction Equipment/Vehicles.
 15 And this is kind of going in the opposite direction
 16 of that. Here we allow them, but for no more than
 17 30 days. And actually, upon reviewing another
 18 section, it kind of conflicts with that. So I
 19 think we need to eliminate the 30 day allowance for
 20 the construction equipment, and basically just not
 21 allow it there at all, unless there's construction
 22 happening at that time.
 23 I know that was a lot. It was a lot of
 24 different things. So I'm happy to chat with you
 25 and see --

1 them to have no more than two sales per year,
 2 right? And we have some parking setback
 3 requirements where they're allowed to park it.
 4 It was brought to my attention there could be
 5 a loophole here, right? So say somebody has a
 6 large RV, and they want to put it on their driveway
 7 and slap a sign on it and say, For Sale. They only
 8 have to comply with this section. However, we have
 9 another section that talks about parking and
 10 storing RVs, and you have to be set back from the
 11 road, on an improved surface, and screened from a
 12 neighbor.
 13 So the thought was maybe to add some time
 14 limits. Like if someone were to offer a vehicle or
 15 a recreational vehicle for sale, for each sale, no
 16 longer than, I don't know, 30 days, maybe. That
 17 was what I had thrown in here. But then at least,
 18 you know, if there's an issue -- and this,
 19 obviously, I think would be more complaint driven.
 20 We're not going to go around looking for these kind
 21 of things.
 22 But I have had an instance, there's been a
 23 home or two, where there were constant sales of
 24 vehicles, right? And that's easy to track the
 25 number, right? But if someone were to think --

1 CHAIRMAN PETERSON: No, this is good. I mean,
 2 we live in an ever-changing world, and we have to
 3 keep our zoning regulations dynamic. If we're
 4 still looking at the 1950s or 1960s, we're kind
 5 of behind the times. So I think it's a good idea.
 6 MR. TERRIACO: Just a few years.
 7 CHAIRMAN PETERSON: Yeah, I know.
 8 Are you guys in agreement that this is
 9 something worth putting on a future agenda?
 10 MR. TERRIACO: Totally agree.
 11 MR. SCHINDLER: Most definitely. I've had
 12 experience, so -- trust me.
 13 MS. FREEMAN: And then if the Board still
 14 wants to look at the whole fence and swimming pool,
 15 we can add that onto the list.
 16 CHAIRMAN PETERSON: Yeah. Yeah, that could be
 17 one of them, too.
 18 MS. FREEMAN: But maybe we'd work on some of
 19 these other things first, and then as time goes on,
 20 we can look at that, as well.
 21 CHAIRMAN PETERSON: Okay.
 22 MS. FREEMAN: Once we've gone through the
 23 whole -- maybe the next couple of meetings.
 24 CHAIRMAN PETERSON: Good topics, Heather.
 25 Thank you.

1 The next item on tonight's agenda is something
2 new that Heather and I talked about briefly last
3 week. We're adding a new section on the agenda
4 every month. It will be a Zoning Inspector Report,
5 with the idea that Heather kind of gives us an
6 update of what's going on in the Township that we
7 need to be aware of, or we should be aware of, so
8 that we're kind of current with whatever is
9 happening.

10 So you can do the premier first edition of the
11 Inspector Report.

12 MS. FREEMAN: Okay. Well, thank you.

13 So I just wanted to mention a few things that
14 you might not be aware of.

15 The Concord Painesville Joint Economic
16 Development District, they recently hired a
17 consulting firm to do a study on the Quail Hollow
18 Hotel.

19 CHAIRMAN PETERSON: Oh.

20 MS. FREEMAN: So I think we all know that
21 they've been closed probably for at least three
22 years now, and the building is in really bad shape.
23 And the JEDD wants to help Concord Township kind of
24 figure out what is the next highest and best use of
25 that property, that building. You know, could

1 changing the uses, the district standards.

2 That property is zoned special -- special
3 interchange, which in itself is a special district,
4 because it was really formulated for the hotel.

5 MR. LINGENFELTER: So is that considered a
6 part of the PUD, or no?

7 MS. FREEMAN: It is not part of the PUD.
8 Yeah, there's so many folks, because of the ties
9 with the golf course it used to have in the past, a
10 lot people, our current residents -- old time
11 residents, new residents, they still think it's
12 part of Quail Hollow PUD.

13 MR. LINGENFELTER: It's not.

14 MS. FREEMAN: They left -- the golf course
15 left that building decades ago, from what I
16 understand. I mean, they used to have a nice
17 working relationship with the locker room, and
18 the club, and everything over there. But those
19 facilities haven't -- you know, they have not
20 worked together in years.

21 There's actually two parcels that the hotel
22 owns, the main one that the hotel sits on, and then
23 across the street, the little gravel parking lot,
24 that's also another separate parcel. In the past,
25 it's just been used for, I think, the valet

1 somebody potentially purchase it, renovate it?
2 What are the economics behind that? Do the numbers
3 work? You know, if it couldn't be renovated, if it
4 was demolished, what would be some other feasible
5 uses of that property?

6 So the JEDD is working with a consultant. We
7 just had our first kickoff meeting. We have a
8 little working committee that's helping the
9 consultant and the JEDD firm. I'm part of that.
10 Also, the Administrator is -- one of the JEDD Board
11 members, Morgan McIntosh, and then Rita McMahon,
12 the Administrator, and a couple of individuals from
13 Silverlode.

14 So we're hoping to have a report by sometime
15 in May. And there will be some kind of public
16 presentation of those findings to the Trustees
17 and/or the JEDD Board. So I'm happy to loop you in
18 on when that meeting is going to be, if you guys
19 want to come and attend.

20 Because I think the next steps after that
21 would be for the Township to start looking at the
22 zoning. Okay, so now that we know, like, what are
23 some of the uses that could be feasible at this
24 location, what might we have to do, you know, with
25 our comprehensive plan or our zoning as far as

1 parking.

2 MR. LINGENFELTER: Overflow. Yeah, overflow
3 parking. Right.

4 MS. FREEMAN: Yeah. So I just wanted you guys
5 to know about --

6 MR. LINGENFELTER: So is there anything
7 functioning in that building now at all?

8 MS. FREEMAN: I mean --

9 CHAIRMAN PETERSON: Security.

10 MS. FREEMAN: Yeah, they do have 24 hour
11 security there. I know our fire inspectors are in
12 there frequently, you know, checking on things. I
13 know you've seen all the caution tape in the
14 parking lot. They've got challenges of sinkholes,
15 and part of the building has been condemned.
16 There's mold and things in various sections, and
17 all kinds of things.

18 And actually, the committee is going to do a
19 walk-through of the building Thursday this week.
20 So the firm knows, like, what -- they're going to
21 bring their experts in. We're walking in with our
22 Deputy Chief, Mike Biddell. And Doug Rought, our
23 fire prevention, is going to take us through the
24 building and show them, so they can see firsthand
25 what's going on there.

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1 CHAIRMAN PETERSON: That was once a beautiful
2 building inside. It had an indoor pool, a
3 steakhouse. Beautiful. I had a high school
4 reunion there, probably in the '80s. It was
5 beautiful. Beautiful.
6 MS. FREEMAN: Yeah.
7 CHAIRMAN PETERSON: In fact, I had a business
8 meeting there once that -- I rented the place and
9 had a meeting there. And we had a phenomenal room,
10 looked out on the golf course. It was really nice.
11 And that was probably in the early 2000s.
12 MR. LINGENFELTER: My son's wedding reception
13 was held there.
14 CHAIRMAN PETERSON: It was nice, wasn't it?
15 MR. LINGENFELTER: Oh, it was beautiful. We
16 had rooms at the facility and everything.
17 CHAIRMAN PETERSON: Yeah, perfect.
18 MR. LINGENFELTER: It was really nice. But
19 that was a while ago.
20 CHAIRMAN PETERSON: Yeah.
21 MS. FREEMAN: So I just wanted to let you guys
22 know about that, because I know there's a lot of
23 chatter, like, online and social media about,
24 what's going on with the hotel?
25 MR. LINGENFELTER: There's always chatter.

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1 MS. FREEMAN: I already did mention the
2 Trustee resolution that they passed, 2024-03, that
3 prohibits the cultivation, processing, and retail
4 sales of the adult use cannabis. That is linked on
5 our Township website, too.
6 MR. LINGENFELTER: I think it was in The
7 Grapevine, if I'm not mistaken, too, I think.
8 CHAIRMAN PETERSON: I think you're right.
9 MS. FREEMAN: Did they put it in there ? Okay.
10 MR. LINGENFELTER: I think so. Because I got
11 the last Grapevine, I thought I -- I swear I read
12 that, that they had passed that resolution.
13 MS. FREEMAN: Yeah. So speaking of The
14 Grapevine, the Township has decided to go to just
15 two mailed Grapevines. I think we used to do
16 three. So now you're only going to get two. And
17 if you haven't signed up for it already, we do an
18 e-Grapevine that you get every month.
19 MR. LINGENFELTER: Right.
20 CHAIRMAN PETERSON: Like clockwork.
21 MS. FREEMAN: If you haven't signed up for
22 that, I can send you a link, or it's on our
23 website. Each department tries to contribute to
24 that and bring relevant information.
25 CHAIRMAN PETERSON: Right.

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1 MS. FREEMAN: Hopefully, we get some good
2 direction.
3 I know that they're also going to reach out
4 to real estate agents and experts, and other -- you
5 know, possibly the development community, too, to
6 see what kind of ideas that have been thought of
7 potentially for that area. I know that the
8 ownership -- the owner's representative is
9 working -- I'm sorry, I should have mentioned this,
10 too.
11 The owner's representative is working with us,
12 as far of this process, as well. So they're very
13 open to the study. They're excited that we're even
14 taking this on, because I think their end goal,
15 too, is to sell the property.
16 CHAIRMAN PETERSON: He's in New Zealand,
17 correct?
18 MS. FREEMAN: Yeah, the owners are in New
19 Zealand. We're not dealing with them directly.
20 They have someone in the States that's their
21 representative. Fingers crossed, yeah.
22 MR. LINGENFELTER: That needs to be addressed.
23 MS. FREEMAN: Yeah.
24 MR. LINGENFELTER: It's an eyesore.
25 CHAIRMAN PETERSON: Yes.

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1 MR. LINGENFELTER: Yeah, I get both. I get
2 the mail and the electronic.
3 MS. FREEMAN: Okay.
4 MR. LINGENFELTER: Actually, it might have
5 been the electronic version where I saw the
6 resolution on the cannabis facilities.
7 MS. FREEMAN: It might have been, yeah.
8 MR. LINGENFELTER: But I know I saw it
9 somewhere, read it, that they had done that.
10 MS. FREEMAN: Okay. Another quick thing, the
11 Ohio Planning -- the Northeast Ohio Planning &
12 Zoning Workshop, I know some of you possibly
13 attended that in the past. This is the Planning &
14 Zoning Workshop that Dave Radachy with Lake County
15 Planning helps organize in conjunction with Ohio
16 Planning. And this year it's going to be held on
17 Friday, June 28th, in Willoughby Hills, at the
18 Recreation Center. I don't have the full agenda
19 yet. They're still formulating speakers and
20 whatnot. But once I get some information on
21 that -- I know we've offered to pay for attendance
22 for BZA and Zoning Commission members in the past .
23 So if that's of some interest to you guys,
24 I'll get that information to you. But it's Friday,
25 June 28th. Usually it's from like 8:30 to

1 3:00-ish. And they try to tailor those sessions
 2 to, like, townships, and really relevant topics, as
 3 well.
 4 And then also one thing I was thinking about,
 5 if you guys -- as part of this Zoning, you know,
 6 Report, do you want to hear updates about BZA
 7 cases, like just what went in front of them, what
 8 kind of things they heard, or approved, or denied?
 9 Is that of any interest to you guys?
 10 MR. LINGENFELTER: Yes. Yes.
 11 CHAIRMAN PETERSON: That would be interest ing.
 12 I like to watch their videos on YouTube.
 13 MS. FREEMAN: Okay.
 14 MR. LINGENFELTER: Yeah, I think it would be
 15 important. Because if somebody is in front of the
 16 BZA, it's usually regarding a zoning issue.
 17 MS. FREEMAN: Yeah. And if we're seeing a
 18 trend or a pattern about --
 19 MR. LINGENFELTER: Yeah, if we're seeing
 20 something happening, I think that would be a good
 21 vehicle for us to maybe be a little more proactive
 22 with some of the things we're doing with the Zoning
 23 Resolution. I think, yes, it would be a good idea
 24 to have a rundown or a recap of the BZA --
 25 MS. FREEMAN: I'm talking, very brief.

1 that. I think Osborne finally lost it in one of
 2 those Sheriff's sales, right?
 3 MR. LINGENFELTER: Which one? On which
 4 corner?
 5 MS. FREEMAN: The southeast corner.
 6 MR. LINGENFELTER: Okay. So directly across
 7 from Pinky's.
 8 MS. FREEMAN: Directly across from Pinky's.
 9 CHAIRMAN PETERSON: Not the other one, that's
 10 got the sign on it.
 11 MR. LINGENFELTER: Right.
 12 MS. FREEMAN: Correct. Not kitty-corner, not
 13 across from Bremec.
 14 CHAIRMAN PETERSON: Okay. Okay.
 15 MR. LINGENFELTER: Directly across the street.
 16 The one that there was a house there, that they
 17 razed.
 18 MS. FREEMAN: Yeah. Year ago, there was a
 19 house. Yeah.
 20 MR. LINGENFELTER: Right.
 21 MS. FREEMAN: Yes.
 22 They've been actively trying to pursue some
 23 development options for that site. They've been
 24 having some challenges due to -- they got some
 25 survey work done, they started looking at the plat,

1 MR. LINGENFELTER: Yeah, yeah.
 2 MS. FREEMAN: I would probably just say, there
 3 was a case regarding this, this, and this --
 4 MR. LINGENFELTER: Right.
 5 MS. FREEMAN: -- and the Board either approved
 6 or didn't.
 7 MR. LINGENFELTER: Yeah, you don't have to get
 8 into the minutiae.
 9 MS. FREEMAN: Yeah.
 10 MR. LINGENFELTER: I think a good overview of
 11 the activity from the BZA would be good to have, to
 12 be aware of.
 13 CHAIRMAN PETERSON: Yeah, it would.
 14 MR. LINGENFELTER: It helps us out. I think
 15 it helps us. It's a good idea.
 16 MS. FREEMAN: Okay. And then kind of tacking
 17 onto maybe looking at uses in the commercial
 18 district, too, I was recently contacted by Joe
 19 Aveni. And Joe Aveni owns the Aveni group, which
 20 is a real estate investment development firm. They
 21 purchased the lot at the corner of Ravenna and
 22 Girdled, the one across from Pinky's.
 23 CHAIRMAN PETERSON: Oh, yeah.
 24 MR. LINGENFELTER: Wow.
 25 MS. FREEMAN: A few years ago, they bought

1 they looked at what the setbacks are. And the
 2 buildable area is rather small once you apply all
 3 the setbacks from both the right-of-ways, and the
 4 buffer from the residential, those kind of things.
 5 So they know, in order to probably develop
 6 anything there, they're probably going to have to
 7 get a variance from some kind of setback. But they
 8 were trying to get some guidance from the Township
 9 as far as what do we want there, what is the vision
 10 for that lot, because they are trying to gain our
 11 support.
 12 There are challenges with that intersection.
 13 There's no sanitary sewer available there, so that
 14 also puts a little bit of a limit on there. They
 15 really haven't pursued -- they haven't really
 16 looked much into the septic yet, because they
 17 don't know, you know, what we would be open to,
 18 from a community.
 19 I did talk to the Trustees about this, too,
 20 at our staff meeting that we had last Monday,
 21 just to plant the seed with them for some future
 22 conversations. But maybe as we look at some of
 23 the uses in those commercial districts, we can kind
 24 of keep that intersection in mind.
 25 And actually, in our Comprehensive Plan Update

1 in 2015, there were some recommendations in there
2 to hopefully -- that would have engaged the
3 Township to look at that entire intersection, as
4 far as how would we envision that to be built out.

5 And I think this was updated before Bremec
6 came in, if I recall. I think Bremec came in after
7 we had originally written this, so we didn't know
8 what was happening with that former landscaper that
9 was there, right? We don't know what's happening
10 with the other lot that they've been trying to sell
11 forever.

12 So I don't know. I just wanted to bring that
13 to your attention. They want to develop something
14 there. They don't know what we envision there.
15 And maybe we can kind of talk about that, or bake
16 that into --

17 MR. LINGENFELTER: What's the resident to the
18 south, directly south of that? Is the resident
19 giving any input?

20 MS. FREEMAN: No. As far as I know, those
21 property owners haven't talked to the resident to
22 the south.

23 I know that Aveni talked to the neighbor to
24 the east. And the neighbor to the east has
25 commercial property, as well, but he's got a

1 the former vet building. And again, it seems
2 like -- and we know this, because we knew this back
3 in '15, no sanitary sewer is really -- is why
4 nothing has happened over there for quite some
5 time.

6 MR. LINGENFELTER: And there's nothing for
7 them to tie into?

8 MS. FREEMAN: You know, I'd probably have to
9 reach out to Randy Roethlisberger to figure out,
10 you know, how far down that would have to come.

11 Because now, with JoAnn and Stone Ridge Estates --

12 MR. LINGENFELTER: I was just going to say,
13 with some of the other --

14 MS. FREEMAN: -- the developer brought it to
15 there, at least.

16 MR. LINGENFELTER: Right.

17 MS. FREEMAN: So I don't know what the
18 probability is, could they extend that line, bring
19 it to the intersection? Do they need another pump
20 station somewhere? I don't know any of that.

21 MR. LINGENFELTER: Yeah, I would like to know
22 that, too. Because that would be -- because when
23 you start deducting from the buildable area for a
24 septic, that's really going to cut down on what you
25 can do.

1 residential on there. So it's a nonconforming
2 use, right? And I think they were trying to engage
3 talking to him, maybe buying the land.

4 MR. LINGENFELTER: On Girdled? To the east on
5 Girdled?

6 MS. FREEMAN: Yes. Directly to the east of
7 him.

8 MR. LINGENFELTER: There's a residence there?

9 MS. FREEMAN: Yeah.

10 CHAIRMAN PETERSON: It used to be -- the old
11 cable TV place was there.

12 MR. LINGENFELTER: I thought that was the --
13 oh, the vet is --

14 MS. FREEMAN: The vet is the next one.

15 CHAIRMAN PETERSON: The next one.

16 MR. LINGENFELTER: Okay.

17 MS. FREEMAN: So you have the vacant lot, the
18 residence, and then the vet building that's on the
19 market currently.

20 MR. LINGENFELTER: Right. That's on the
21 market still.

22 MS. FREEMAN: Yes. Yeah. And that's a whole
23 other --

24 MR. LINGENFELTER: Yeah.

25 MS. FREEMAN: I've gotten a lot of calls about

1 MS. FREEMAN: Yeah.

2 MR. LINGENFELTER: If they have sewer
3 capability, that would certainly expand.

4 I think it would be to the Township's
5 advantage, number one. And number two, to the
6 potential builder or, you know, whatever, that
7 would make --

8 MS. FREEMAN: Right. And that would help
9 Pinky's, too. Because I know he really wanted to
10 tie into the sewer a couple of years ago when he
11 did renovations on the fuel pumps and all of that.

12 MR. LINGENFELTER: Uh-huh.

13 MS. FREEMAN: And I know he reached out to
14 Randy, and whatever they talked about was just way
15 out of what his price point could do.

16 CHAIRMAN PETERSON: So that southwest lot
17 doesn't have sewer, either?

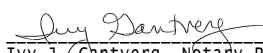
18 MS. FREEMAN: Correct. That entire
19 intersection does not. Yeah.

20 So Bremec is on a septic. I think on that
21 side it ends at -- well, they brought it to -- I
22 don't know where it stops on that side of Girdled.
23 I don't even know.

24 But as you know, usually it's the developers
25 that bring that down as they build the

1 developments. We're not in the -- the County is
 2 not extending sewers proactively. It's usually
 3 development driven.
 4 MR. LINGENFELTER: Yeah, because I know
 5 Summerwood, they come in from -- the easement for
 6 the sewers come in from Girdled Road, parallel to
 7 Summerwood. You know, that's quite a ways down
 8 Girdled Road, you know, Summerwood to --
 9 CHAIRMAN PETERSON: And down a big hill.
 10 MR. LINGENFELTER: Yeah, that would pose a
 11 hell of a challenge from an engineering standpoint.
 12 MS. FREEMAN: Right, right.
 13 MR. LINGENFELTER: To get sewer up the hill
 14 and over to that, that would be probably pretty
 15 much impossible.
 16 MS. FREEMAN: Yeah.
 17 MR. LINGENFELTER: I mean, where else? You've
 18 got Butterfly, right --
 19 CHAIRMAN PETERSON: Yeah.
 20 MR. LINGENFELTER: -- you know, with Noble
 21 Ridge. I mean, there's nothing really close, as
 22 far as, you know, sewers are concerned. I think
 23 any direction coming in from either --
 24 MS. FREEMAN: I'm not sure where it would come
 25 from --

1 MR. LINGENFELTER: Yeah.
 2 MS. FREEMAN: -- which line it would have to
 3 be or anything, you know.
 4 MR. LINGENFELTER: Yeah, there's not a whole
 5 lot of options.
 6 MS. FREEMAN: So I just want to let you know
 7 about that. I don't know if you guys have ideas,
 8 or we can talk about what would be appropriate
 9 there at that corner.
 10 CHAIRMAN PETERSON: Good news. Good
 11 information for us to have.
 12 Anything else on there?
 13 MS. FREEMAN: That's all I really have.
 14 CHAIRMAN PETERSON: Okay, great. I think
 15 that's a nice addition to our agenda going forward.
 16 Anything else tonight on the Commission up
 17 here to talk about?
 18 MR. SCHINDLER: No.
 19 CHAIRMAN PETERSON: If not, our next meeting,
 20 then, is April 2nd, 2024. And we'll adjourn for
 21 tonight.
 22 (Whereupon, the meeting was adjourned at
 23 8:10 p.m.)
 24
 25

1 CERTIFICATE
 2 state of Ohio,)
 3 county of Cuyahoga.) ss:
 4
 5 I, Ivy J. Gantverg, Registered Professional
 6 Reporter and Notary Public in and for the State of Ohio,
 7 duly commissioned and qualified, do hereby certify that
 8 the foregoing is a true, correct and complete transcript
 9 of my stenotype notes which were taken at the time and
 10 place in the foregoing caption specified.
 11 I do further certify that I am not a relative or
 12 counsel of either party, or otherwise interested in the
 13 event of this action.
 14
 15
 16 
 17 Ivy J. Gantverg, Notary Public
 18 in and for the State of Ohio,
 19 Registered Professional Reporter.
 20 My Commission Expires November 5, 2028.
 21
 22
 23
 24
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