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2 CONCORD TOWNSHIP BOARD OF ZONING APPEALS  
3 LAKE COUNTY, OHIO  
4 REGULAR MEETING  
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7  
8 Concord Town Hall  
9 7229 Ravenna Road  
10 Concord, Ohio 44077  
11  
12 October 9, 2024  
13 7:00 p.m.  
14  
15  
16 TRANSCRIPT OF PROCEEDINGS  
17  
18 Board of Zoning Appeals members present:  
19 Ashley Garcar, Chairwoman  
20 Francis E. Sweeney, Jr., Vice-Chairman  
21 Todd Golling, Member  
22 T. R. Hach, Member  
23 Brian Falkowski, Member  
24  
25 Also Present:  
26 Heather Freeman, Planning & Zoning Director/  
27 Zoning Inspector  
28 Bridey Matheney, Esq., Legal Counsel  
29  
30  
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1 We have one conditional use permit  
2 application tonight. A three-vote majority is  
3 required for either approval or denial by the  
4 applicant.  
5 The conditional use permit for  
6 Application 2024-30 by Brittany Residential,  
7 Incorporation dba Brite Day Community Center  
8 is requesting approval for a conditional use  
9 permit to operate an adult day care center in  
10 accordance with Section 13.05 and 13.08. This  
11 is for the property located at 7757 Auburn  
12 Road, Unit 15 and 16, and being parcel number  
13 08-A-020-0-00-036-0.  
14 Would you guys like to come up and  
15 present your case?  
16 MS. FOLIART: Good evening. My name is  
17 Amy Foliart. I live at 15152 Munn Road in  
18 Newbury, Ohio 44065. I am here to present for  
19 the continual use -- or conditional use permit  
20 for Brite Day Community Center at 7757 Auburn  
21 Road.  
22 We are a community center for adults with  
23 disabilities. We have two other locations  
24 currently. We're looking to expand for as  
25 many as between 10 and 25 individuals.

1 PROCEEDINGS  
2 MS. GARCAR: Good afternoon. The Board  
3 of Zoning Appeals meeting for 10/9 is now in  
4 session.  
5 I would like to start off by introducing  
6 the board. To my far left I have Skip  
7 Sweeney, and then Brian Falkowski. To my  
8 right I have T. R. Hach and Todd Golling. To  
9 my very far right I have Heather Freeman, the  
10 township Zoning Inspector.  
11 Under the advice of our legal counsel, we  
12 ask that anyone speaking tonight must be sworn  
13 in. If you plan on speaking, please stand and  
14 raise your right hand.  
15 (Whereupon, the speakers were sworn  
16 en masse.)  
17 MS. GARCAR: Please be seated.  
18 When representing your case or  
19 commenting, please come to the microphone  
20 and state your name and your address for  
21 the record.  
22 Heather, was the legal notice published  
23 in a timely manner?  
24 MS. FREEMAN: Yes.  
25 MS. GARCAR: Thank you.

1 MS. GARCAR: Do you guys have any  
2 questions?  
3 MR. HACH: Where are the other locations?  
4 MS. FOLIART: Oh, yes. We are in  
5 Chardon, across from the YMCA. So the address  
6 is 11777 Mayfield. We also have a location on  
7 Heisley Road in Mentor, right on the corner of  
8 Heisley and 20.  
9 MR. HACH: Okay.  
10 MS. FOLIART: Sort of behind the Walmart,  
11 AAA.  
12 MR. HACH: Oh, yeah. Yeah.  
13 MR. GOLLING: Were they not here already?  
14 MS. GARCAR: They were not.  
15 MR. SWEENEY: No.  
16 MS. GARCAR: I think you are aware that  
17 there is an additional, in the same building,  
18 adult day care?  
19 MS. FOLIART: Yes. The purpose is  
20 slightly different. We did actually watch the  
21 Zoning meeting. And this gentleman works for  
22 the Lake County Board currently, and he is  
23 providing a service for employment. And I  
24 think he's doing -- helping folks with hab  
25 services.

1 Ours is very much recreation-based, and  
2 community, and kind of connecting folks in the  
3 community. We're hoping to work with folks  
4 specifically on the spectrum, on the autism  
5 spectrum, and just providing recreation,  
6 community inclusion, a fun environment. We  
7 theme every day as a holiday. Which is a  
8 different kind of a program mindset than the  
9 employment and volunteer work. So I think it  
10 actually would be complementary, which would  
11 be great.

12 MR. GOLLING: It just seems like -- I  
13 mean, are you a competitor of them?

14 MS. FOLIART: That's the beautiful thing  
15 about human services. We don't compete.

16 MR. GOLLING: Yeah. So it's basically --

17 MS. FOLIART: We could be complementary,  
18 actually, which would be very exciting.

19 MR. GOLLING: I remember he came in here,  
20 and it was literally a daytime adult, for DD  
21 folks --

22 MS. FOLIART: Yes.

23 MR. GOLLING: -- that would come in. And  
24 I'm assuming that's pretty much the same  
25 thing?

1 program who might think, you know, maybe I  
2 want to work.

3 I'm not going to do that. I'm not going  
4 near work. That's something that he's doing.  
5 And he's hooking people up with volunteer  
6 services.

7 So I'm kind of excited. It really could  
8 be a complementary type of a situation, a  
9 win-win.

10 MR. GOLLING: How many folks will you  
11 have daily there?

12 MS. FOLIART: It's really going to  
13 depend -- to start, to open, we're hoping to  
14 open in a few weeks, four or five. We're  
15 hoping to get as many as 25. But it really  
16 depends on who is in there. Because you  
17 really want to make sure that the space and  
18 the amount of team members supports whoever is  
19 there most effectively.

20 MR. GOLLING: Would there be -- I do  
21 recall he -- and not to compare you to him.

22 MS. FOLIART: That's okay.

23 MR. GOLLING: He had some vans for  
24 transportation. Will you have the same thing?

25 MS. FOLIART: So I personally don't like

1 MS. FOLIART: A slightly different  
2 populous, in terms of what their interest is.  
3 So what he's trying to do is get folks who are  
4 wanting to be employed, and he's going to  
5 teach them job skills. He's going to go  
6 ahead and get them hooked up in volunteer  
7 opportunities. At least that's the  
8 information that I received.

9 Where I'm coming from is more of a  
10 community inclusion, kind of getting folks  
11 connected, you know, meeting people, having  
12 opportunities to connect, visit the Starbucks,  
13 go over to Panera, that kind of thing. You  
14 have a plethora of fantastic parks around  
15 here, visiting the parks.

16 The bonus to that is -- and I have not  
17 spoken to him yet -- but there are times and  
18 there are people who are interested in work,  
19 but not five days a week. So our hours are  
20 similar. On the surface, it looks the same.  
21 It really isn't going to be the same. There's  
22 a chance that someone is going to be working  
23 three days there, maybe even attending our  
24 program two days or one day, or vice versa.  
25 There could be someone who is attending our

1 doing transportation, except for when folks  
2 are there, you know, transportation to fun  
3 places in the community. So we are going to  
4 have folks come in. You'll have a van drive  
5 through, drop people off, and then they're  
6 going to go ahead and leave. And then we're  
7 going to have a van parked there to take  
8 people to Panera or to the park. It's going  
9 to be great. Or Starbucks, or wherever. You  
10 know, it depends on who likes what. And we'll  
11 make sure -- bowling. We're going to maybe  
12 meet up some folks elsewhere in the community,  
13 we're going to do bowling. So it's that kind  
14 of a thing.

15 MR. GOLLING: Gotcha.

16 MR. HACH: How many staff do you need?

17 MS. FOLIART: I like having two -- so  
18 it's set up to where I could have two groups  
19 of twelve, up to. And this is all  
20 approximate. I don't have that set up yet.

21 It would be -- I have two staff to start,  
22 and I'm looking to have two more staff. So it  
23 would be four staff to upwards of 20-some  
24 individuals.

25 MR. HACH: Okay.

1 MS. FOLIART: But again, it varies,  
2 depending. I don't want to be concrete about  
3 it, because it depends on who is in there.  
4 MR. HACH: And I don't know anything  
5 about the interior of that space. It's built  
6 out --  
7 MS. FOLIART: It is.  
8 MR. HACH: -- it's got bathrooms and all  
9 that stuff?  
10 MS. FOLIART: It does. It's actually  
11 very -- it's very nice on the inside. It's  
12 set up where the middle room would be cubicles  
13 otherwise, and then there's office space  
14 around the perimeter, and accessible bathrooms  
15 on the side.  
16 We're hoping to use that middle space for  
17 gross motor type activities, larger group  
18 activities, and then having smaller pods  
19 around the office.  
20 MR. GOLLING: So you're across the  
21 courtyard from him?  
22 MS. FOLIART: Yes.  
23 MR. GOLLING: Okay. I think it's the  
24 old -- there used to be an ODOT office there.  
25 MS. FOLIART: Oh.

1 touring there, and connecting.  
2 MR. HACH: So the capacity of your  
3 customers --  
4 MS. FOLIART: Yeah.  
5 MR. HACH: -- are any in wheelchairs?  
6 Obviously they're able to go to a park and  
7 walk.  
8 MS. FOLIART: Well, as of this exact  
9 moment, the small core of folks to start the  
10 program are not in wheelchairs. However,  
11 within Brite Day as a whole, we do have folks,  
12 some of whom ambulate by wheelchair. At this  
13 moment, those ladies and gentlemen have manual  
14 wheelchairs and they transfer themselves.  
15 It is possible that we could do that. We  
16 would just make sure that the staffing would  
17 accommodate. And the bathrooms already  
18 accommodate. So it really -- everything is,  
19 you know -- there's a little bit of a variance  
20 there.  
21 MR. HACH: So the van that you have --  
22 MS. FOLIART: It's actually a minivan.  
23 MR. HACH: Okay.  
24 MS. FOLIART: And the transfer, we fold  
25 up the chair, we flip it in the back. I've

9  
1 MR. GOLLING: The Department of  
2 Transportation had that facility there.  
3 MS. FOLIART: Interesting.  
4 It was Sentrii, most recently. And they  
5 did medical billing, I think.  
6 MR. GOLLING: Yeah.  
7 MS. GARCAR: Do you guys have plans to do  
8 anything outdoors?  
9 MS. FOLIART: We have plans to do things  
10 in the community. There's a lot of parks.  
11 There is some shared area. So there is  
12 that picnic table, and I think that would be  
13 fair to use. We won't send everybody out. It  
14 just -- no. We would -- maybe a couple of  
15 people would have lunch there, but not as a  
16 whole. As a whole, we're hoping to be out in  
17 the community, in the different parks, you  
18 know, at Starbucks.  
19 MS. GARCAR: Okay.  
20 MS. FOLIART: I keep saying Starbucks.  
21 It's not just that. I'm actually craving  
22 coffee right now.  
23 We don't just go to Starbucks. There's  
24 a lot of really fun places in that area that  
25 have just built up, and so we're going to be

11  
1 done it myself. It's great.  
2 MR. HACH: Okay.  
3 MS. FOLIART: Yeah. This one gentleman  
4 is fantastic about transferring in and out of  
5 the minivan.  
6 If it were to become an issue, Jason is  
7 very generous, and he would probably supply a  
8 car. Everything is very person-centered and  
9 very inclusive.  
10 So I don't have a design of wanting a  
11 big wheelchair van, where you pile in a whole  
12 group of people. I don't like that model. I  
13 much prefer having a small group, having us  
14 really connect with people, and enjoy, you  
15 know, the area businesses in a way that's more  
16 typical, more inclusive, I guess. And it  
17 wouldn't be as inclusive if you have a mob of  
18 people, you know, from a van. It doesn't lend  
19 itself to that necessarily.  
20 MS. GARCAR: So it seems like there's a  
21 lot of different aspects you have flowing as  
22 you grow, if this is approved.  
23 MS. FOLIART: Yes.  
24 MS. GARCAR: A question of, do you plan  
25 on growing into doing things outside? Because

1 it does stand in Concord, adult and children  
2 day care centers, do you need a fence for  
3 anything outside? So did that seem like  
4 something --  
5 MS. FOLIART: We would not.  
6 MS. GARCAR: Okay.  
7 MS. FOLIART: We would not, no.  
8 MS. GARCAR: Not need a fence, or not be  
9 doing actual activities directly outside where  
10 it needs to be fenced in?  
11 MS. FOLIART: We would not -- that area  
12 does not necessarily lend itself to that. So  
13 no, we would not -- like I would not encourage  
14 a big activity in the middle of a parking lot.  
15 I think that's just bad form.  
16 MS. GARCAR: Okay.  
17 MS. FOLIART: There is only one picnic  
18 table. So I do see us, on occasion, having  
19 one or two people having a lunch there, and I  
20 think that's fair. If there is another picnic  
21 table, we might have one or two people at a  
22 picnic table or in a couple of chairs. But I  
23 think that's in the realm of what -- but  
24 having a whole group of people? No. Not in  
25 this environment, no.

1 something?  
2 MS. FOLIART: So it would be a both and.  
3 I actually have programs on the floor. So it  
4 would be -- and we theme everything. Every  
5 day is a holiday. So I have a calendar, where  
6 every day is listed out as every holiday.  
7 So we do one or two outings a day. So  
8 that is about right. It would be before and  
9 after lunch, so you are correct there. It  
10 would be two or three people with one staff,  
11 and then the other staff stays back and  
12 they're doing art classes, and music, and  
13 exercise classes, and learning about the daily  
14 holiday, and that kind of thing. So it's a  
15 both and.  
16 So we have programming going so people  
17 aren't just sitting --  
18 MR. GOLLING: Cool.  
19 MS. FOLIART: -- so it's meaningful. But  
20 then we also have the outings, as well. And  
21 it's all based on a theme, and based on what's  
22 going on in the community. So there are some  
23 moving parts.  
24 MR. GOLLING: Neat.  
25 MS. FOLIART: Thanks.

13  
1 MS. GARCAR: Okay.  
2 MS. FOLIART: We might take a few people  
3 out and go to the area parks, and there's all  
4 kinds -- like even here, there's a beautiful  
5 park right here, where folks could maybe, you  
6 know, play tennis or do --  
7 MR. GOLLING: It's called pickleball now.  
8 MS. FOLIART: Okay, yes. Play  
9 pickleball, yeah. Right now, they would be  
10 with racquetball rackets, until I get the  
11 pickleball. But we could do that, for sure.  
12 MS. GARCAR: Okay.  
13 MS. FOLIART: But no, it doesn't lend  
14 itself to that well. So I wouldn't force  
15 something in a way that is not --  
16 MS. GARCAR: Okay.  
17 MR. GOLLING: So would it be -- is it  
18 like, would they show up at the beginning of  
19 the work day --  
20 MS. FOLIART: Yes.  
21 MR. GOLLING: -- and kind of use it as a  
22 home base, and then you're like, okay, now  
23 we're going to go to Skok Meadow, we're going  
24 to walk the meadow, and then come back, have  
25 some lunch, and go out to Starbucks or

15  
1 MS. GARCAR: Do you guys have any more  
2 questions for her?  
3 MR. SWEENEY: No.  
4 MS. GARCAR: If that is all, you're more  
5 than welcome to be seated.  
6 MS. FOLIART: I'm sorry?  
7 MS. GARCAR: If that is all from you,  
8 you're more than welcome to be seated.  
9 MS. FOLIART: Okay. Thank you very much.  
10 Thank you.  
11 MS. GARCAR: Heather, would you like to  
12 present a little bit on this application, as  
13 well?  
14 MS. FREEMAN: I think everything was kind  
15 of covered. I was just going to give a  
16 background on where the property is, but I  
17 think you guys are all familiar.  
18 MR. GOLLING: Yes.  
19 MS. FREEMAN: This is near the roundabout  
20 at Capital and Auburn Road. It's the site  
21 with the four buildings there. This unit is a  
22 4,000-square-foot existing office space in the  
23 south building on the end. There is shared  
24 parking there.  
25 I'm glad you talked about the outdoor

17

1 stuff. Because being with multiple tenants in  
 2 that facility on that lot, you know, safety  
 3 would be a concern if they were going to have  
 4 organized activities outside.  
 5 MR. SWEENEY: What was that one matter  
 6 that was also in this parcel, that was tabled  
 7 for a long time and now -- I don't know if it  
 8 was removed.  
 9 MR. GOLLING: That was Mr. Viviani, and  
 10 he withdrew.  
 11 MR. SWEENEY: Randy Viviani.  
 12 MR. GOLLING: Yeah. And then this  
 13 property sold to someone else.  
 14 MS. FREEMAN: Yeah.  
 15 MR. SWEENEY: Okay.  
 16 MR. GOLLING: So that's -- the matter is  
 17 over.  
 18 MS. FREEMAN: There's no pending --  
 19 MR. GOLLING: All right, so that's not  
 20 even pending, okay.  
 21 MS. FREEMAN: -- or anything on this  
 22 property, yeah. No.  
 23 MR. GOLLING: That one was -- that cooked  
 24 for a while.  
 25 MR. SWEENEY: Yeah.

19

1 MR. GOLLING: It's pretty cool.  
 2 MS. GARCAR: Okay. Well, the question is  
 3 on if there is approval of the conditional use  
 4 permit 2024-30. A yes vote is for the  
 5 approval of the conditional use permit and a  
 6 no vote denies the conditional use permit.  
 7 Heather, can you call the vote.  
 8 MS. FREEMAN: Sure.  
 9 Mr. Sweeney.  
 10 MR. SWEENEY: Yes.  
 11 MS. FREEMAN: Mr. Golling.  
 12 MR. GOLLING: Yes.  
 13 MS. FREEMAN: Mr. Hach.  
 14 MR. HACH: Yes.  
 15 MS. FREEMAN: Mr. Falkowski.  
 16 MR. FALKOWSKI: Yes.  
 17 MS. FREEMAN: And Ms. Garcar.  
 18 MS. GARCAR: Yes.  
 19 MS. FOLIART: Thank you.  
 20 MS. GARCAR: The yeas have it. And  
 21 a conditional use permit is approved.  
 22 MR. SWEENEY: Congratulations.  
 23 MS. FOLIART: Thank you. Whoo-hoo.  
 24 MS. GARCAR: So next on the agenda is --  
 25 we do not have any meeting minutes on the

18

1 MR. GOLLING: Yeah.  
 2 MR. SWEENEY: A couple of years.  
 3 MR. GOLLING: Yes, it did.  
 4 MS. GARCAR: Is anyone else here speaking  
 5 for or against this conditional use permit?  
 6 If there are no further questions, the  
 7 public hearing for this application 2024-30 is  
 8 closed to the public.  
 9 The chair will entertain a motion to  
 10 approve the conditional use permit 2024-30,  
 11 Brittany Residential, Incorporation dba Brite  
 12 Day Community Center requesting the approval  
 13 for a conditional use permit to operate an  
 14 adult day care center in accordance with  
 15 Section 13.05 and 13.08. This is for the  
 16 property located at 7757 Auburn Road, Unit  
 17 15 and 16, and being parcel number  
 18 08-A-020-0-00-036-0.  
 19 MR. SWEENEY: So moved.  
 20 MR. GOLLING: Second.  
 21 MS. GARCAR: Okay. Is there any  
 22 discussion from the board about this?  
 23 MR. SWEENEY: I think it's a great idea.  
 24 MS. FOLIART: Thank you.  
 25 MR. FABIAN: Thanks.

20

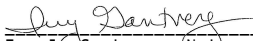
1 agenda for approval.  
 2 MR. HACH: Congratulations.  
 3 MR. FABIAN: Thank you.  
 4 MR. SWEENEY: Yes. You can go.  
 5 MR. HACH: You seem like you're always  
 6 very happy.  
 7 MS. FOLIART: Thank you.  
 8 MR. SWEENEY: She's helping people.  
 9 MS. FOLIART: I love my job.  
 10 Thank you very much.  
 11 MR. SWEENEY: Take care.  
 12 MR. HACH: Good luck. Thank you.  
 13 MS. FOLIART: Thank you.  
 14 MS. GARCAR: The next meeting will be  
 15 Wednesday, November 13th of 2024.  
 16 And the meeting of the Board of Zoning  
 17 Appeals is now adjourned.  
 18 (Whereupon, the meeting was adjourned at  
 19 7:17 p.m.)  
 20  
 21  
 22  
 23  
 24  
 25

## CERTIFICATE

State of Ohio,        }  
County of Cuyahoga. } ss:

I, Ivy J. Gantverg, Registered Professional  
Reporter and Notary Public in and for the State of  
Ohio, duly commissioned and qualified, do hereby  
certify that the foregoing is a true, correct and  
complete transcript of my stenotype notes which were  
taken at the time and place in the foregoing caption  
specified.

I do further certify that I am not a relative  
or counsel of either party, or otherwise interested  
in the event of this action.

  
Ivy J. Gantverg, Notary Public  
in and for the State of Ohio,  
Registered Professional Reporter.  
My Commission Expires November 5, 2028.



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