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2 CONCORD TOWNSHIP ZONING COMMISSION
3 LAKE COUNTY, OHIO
4 REGULAR MEETING
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8 Concord Town Hall
9 7229 Ravenna Road
10 Concord, Ohio 44077
11
12 November 5, 2024
13 7:00 p.m.
14
15 TRANSCRIPT OF PROCEEDINGS
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18 Zoning Commission members present:
19 Hiram Reppert, Chair
20 Frank Schindler, Member
21 John Wiertel, Member
22 Ron Terriaco, Member
23 Also Present:
24 Heather Freeman, Planning & Zoning Director/
25 Zoning Inspector
James O'Leary, Esq., Legal Counsel

1 MR. TERRIACO: None.
2 MR. REPERT: None here. So we have no
3 correspondence.
4 Heather, Zoning Inspector Report.
5 MS. FREEMAN: I do not have a report this
6 evening.
7 MR. REPERT: No report.
8 MS. FREEMAN: Thank you.
9 MR. REPERT: This is going to be a
10 record short meeting, right? Here we go.
11 MR. SCHINDLER: We might make that
12 record. Especially minutes.
13 MR. REPERT: Public Participation. This
14 is intended for anybody from the public that
15 is not part of the New Business or the Old
16 Business.
17 Anybody there? Okay.
18 New Business. It says here, Establish a
19 designated final date for completion of the
20 sidewalk in accordance with the agreement
21 between Concord Township Zoning Commission and
22 the IN9 Group, LLC for the property located on
23 Old Crile and Crile Road, being parcel number
24 08-A-020-0-00-048-0.
25 Okay, let's open it up. Anybody have any

1 PROCEEDINGS
2 MR. REPERT: I'd like to call to order
3 the Concord Township Zoning Commission of
4 Tuesday, November 5th, which is also Election
5 Day this year.
6 Heather, would you call the roll?
7 MS. FREEMAN: Mr. Wiertel.
8 MR. WIERTEL: Yes.
9 MS. FREEMAN: Mr. Terriaco.
10 MR. TERRIACO: Yes.
11 MS. FREEMAN: Mr. Schindler.
12 MR. SCHINDLER: Yes.
13 MS. FREEMAN: And Mr. Reppert.
14 MR. REPERT: Yes.
15 Okay. Moving on, approval of the
16 minutes. The minutes are not here, so we're
17 going to have to table the approval of those
18 minutes for September, October. And next
19 month is going to add in November.
20 So correspondence. Frank?
21 MR. SCHINDLER: None, Mr. Chairman.
22 MR. REPERT: John?
23 MR. WIERTEL: None.
24 MR. REPERT: None.
25 Ron?

1 discussion? From the audience, if you would,
2 stand up, state your name and your address for
3 the record.
4 MR. NEKIC: Good evening. John Nekic,
5 6814 Edinboro Place, Concord Township, Ohio,
6 44077.
7 MR. WIERTEL: John, what's your last
8 name? I'm sorry.
9 MR. NEKIC: Nekic, N-E-K-I-C.
10 MR. WIERTEL: Thank you.
11 MR. NEKIC: I am in charge and actually
12 the owner of the IN9 project there on Old
13 Crile and new Crile, Little Mountain Creamery
14 and Johnny's Auto Spa.
15 We met a year ago regarding this
16 situation regarding the sidewalks. And we
17 all agreed that we will absolutely build a
18 sidewalk when it's necessary.
19 A few stipulations we all agreed to, when
20 the pedestrian road was in demand, which
21 surrounding infrastructure connections,
22 appropriate sidewalk connections on adjacent
23 properties are five years from the date.
24 Since the last time we met, none of those have
25 changed.

1 I am from Concord. I live just down the
2 street. I'm very proud to be part of this.
3 No one in their right mind would have built
4 what I built, spend this kind of money. I'm
5 proud of where I live, and I'm proud of this
6 community. So I went over and beyond to make
7 this place beautiful. I am for a sidewalk,
8 but just not now. It makes no sense.

9 Unless you're going to parachute people
10 in, I'm not sure where they're going to be
11 coming from. We have 44, you have Crile,
12 these are all busy streets, and there's not
13 a sidewalk in sight.

14 So nothing has changed since our last
15 meeting. I think the timing of this is
16 bizarre. You waited until I finished the
17 project, you waited until I put in the
18 landscaping, sprinklers, and let the grass
19 grow in, and now you want me to do a sidewalk.
20 I'm not sure -- I just have a few other
21 projects that I'm planning in Concord.
22 They're going to be just as big, but -- I'm
23 a team player. We've got to be on the same
24 team. I'm not going to invest this kind of
25 money if this is going to happen over and

1 cross to get to my sidewalk? I'm not sure
2 where the city is.

3 Any suggestions or anything that you have
4 for me?

5 Again, at our last meeting, one of the
6 members said, this makes no sense, it's a
7 sidewalk to nowhere. I agree. And nothing
8 has changed within this year. So I'm not sure
9 why we're doing this again.

10 But again, I follow the rules, and
11 whatever you guys decide, we'll go by. But I
12 just think it's premature. I think it's
13 dangerous.

14 Any questions?

15 MR. REPPERT: How long would it take to
16 design a sidewalk?

17 MR. NEKIC: I don't think -- it's a big
18 deal.

19 First of all, I think you guys made a
20 mistake, because we have to move all the fire
21 hydrants. So I'm not sure what happened
22 there.

23 This is not a small project. This is a
24 big deal. All the fire hydrants are in the
25 way.

1 over.

2 I want to build a sidewalk. I just don't
3 want my sidewalk to be five years old when my
4 neighbor builds it, and it looks ugly. I'm
5 all about looks. That's why those buildings
6 are so spectacular.

7 I'm open to any suggestions or
8 constructive criticism. I'm not opposed to a
9 sidewalk, just not now.

10 So, any questions or anything?

11 MR. REPPERT: When?

12 MR. NEKIC: When?

13 MR. REPPERT: Yeah.

14 MR. NEKIC: You tell me. When my
15 neighbor gets it, when the people across the
16 street build something, when it makes sense.

17 If you go there now, that point, Old
18 Crile and new Crile is so dark. You want to
19 put a sidewalk in and bait people in to walk
20 down that street where those big ditches are?
21 It doesn't make sense right now.

22 And I think the buildings are stunning.
23 I think a sidewalk would be stunning, as well.
24 But it doesn't make any sense now. How do
25 they get there? From what sidewalk do they

1 So however previously you guys designed
2 this project, they have sidewalks. Whoever
3 put the hydrants in didn't take that into
4 consideration.

5 So I don't know. I'm not a builder. I'm
6 a physician. You guys tell me how long it
7 would take. You know better than I do.

8 MR. TERRIACO: Has there been any
9 conversation, as far as the planning of the
10 sidewalk where the fire hydrants are in the
11 way, and then probably underground, if you
12 were to develop that plan to install those
13 hydrants, reaching out to the fire department
14 to ask for approval of removing the hydrants
15 or relocating, and also paying the water
16 department for that process, how long do you
17 think that process would take --

18 MR. NEKIC: I don't know.

19 MR. TERRIACO: -- with your working in
20 the trades and stuff like that.

21 MR. KEENEY: So Dustin Keeney with
22 Polaris Engineering & Surveying, 34600 Chardon
23 Road, Willoughby Hills, Ohio 44094. And we
24 did the civil site planning work for the
25 project.

1 So going back through the history, you
2 know, there was a point in time where there
3 was no sidewalks, and then there was a comment
4 that sidewalks were required in the Capital
5 District.

6 So when we started designing the
7 sidewalks, that's when we realized that when
8 they redid and realigned the roads and all
9 that stuff, the -- it's very challenging,
10 because the hydrants are right where the
11 sidewalks typically would go, just along the
12 edge of the right of way, and then between
13 where the sidewalk would go and the roadway
14 goes, is a ditch section.

15 I know that typically when you see
16 sidewalks along a roadway section, there's
17 storm sewers, there's not ditches. So
18 usually -- I think the ditches, you know,
19 cause potentially a safety issue. You know,
20 if folks happen to step off the sidewalk, you
21 know, like he mentioned, it's dark. You know,
22 you have -- some of it is a safety concern.

23 But to answer -- we did at one point in
24 time, before the agreement to postpone the
25 sidewalks, we had come up with a plan to

1 could -- what your options would be for
2 that --

3 MR. KEENEY: Right.

4 MR. TERRIACO: -- right?

5 I would strongly urge you to do that.
6 We're just looking at that time frame of what
7 that would be. A couple months. Because
8 decisions won't be made, you know, right
9 away --

10 MR. KEENEY: Right.

11 MR. TERRIACO: -- to do that.

12 And as far as, if you remove the
13 hydrants, are you allowed to put the sidewalk
14 over the water lines, or anything like that.

15 MR. KEENEY: Right. It gets complicated
16 a little bit, because where the hydrants are
17 right now, they're just inside of the public
18 right of way. So if we move the hydrants
19 back, then they wind up being on private
20 property. Because to be behind the sidewalk,
21 they would wind up being on the private
22 property of the ice cream store, and if you
23 move them forward, then they wind up in the
24 ditch. So, you know, it's one of those --

25 MR. TERRIACO: Right.

1 put -- I guess there's two alternates. We
2 could either move all the hydrants, or we
3 could jog the sidewalk around the hydrants
4 and leave the hydrants in place, which would
5 probably be more economical than moving the
6 hydrants.

7 But the challenge there is with the
8 ditch, when you jog the hydrants around, then
9 we're going to have to put culverts in the
10 ditches so that -- you know, to get the
11 grading to work. So it is quite a -- you
12 know, and it would -- so from a design
13 perspective, it's something that we could
14 probably get designed in a couple of days and
15 go through the process. But it would be quite
16 a project for them to go --

17 MR. TERRIACO: So that would take quite a
18 bit of time, to go through that process.

19 And how the number of hydrants are there,
20 where that number came from, I'm not sure,
21 right? So speaking from my past career, I'm
22 not sure where that number came from.

23 It is a large amount of hydrants. So it
24 really would behold you to contact the fire
25 department and water department to see if you

1 MR. KEENEY: It's one of those goofy
2 situations. It would take some coordination
3 with the fire department. And it's just one
4 of those things that -- hindsight is always
5 20/20, but it doesn't seem like it was set up
6 for sidewalks, quite frankly.

7 MR. TERRIACO: Correct.

8 MR. REPERT: Instead of jogging out
9 towards the road, why don't you jog back?
10 It's been done in Mentor. If you go up Little
11 Mountain, you'll see a hydrant, and the
12 sidewalk comes here, jogs, and then back.

13 MR. KEENEY: And we could look at that.
14 I know it would be challenging along the
15 section where the detention basin is. You
16 know, just to get the grading for the
17 detention basin, you run into the same issue,
18 where you start jogging in, and that's the
19 slope where the detention basin, you know --

20 MR. WIERTEL: Dustin, I'm sorry, I don't
21 mean to interrupt you. It would be a public
22 sidewalk, correct?

23 MR. REPERT: Yeah.

24 MR. WIERTEL: Right?

25 MR. KEENEY: Correct. Yes.

1 MR. WIERTEL: So it has to stay in the
2 right of way, correct?
3 MR. KEENEY: Unless there was some sort
4 of an agreement where they got easements.
5 MR. WIERTEL: Right.
6 MR. KEENEY: I mean, probably anything is
7 possible from a legal --
8 MR. WIERTEL: But it has --
9 MR. KEENEY: Typically, they're supposed
10 to be in a public right of way.
11 MR. WIERTEL: It's designed in the public
12 right of way, right? And that's where the
13 fire hydrants are at, in the public right of
14 way, correct?
15 MR. KEENEY: Correct. Right.
16 MR. WIERTEL: Okay. So that's more than
17 likely -- in my assumption, you know, having
18 been in the business a bit, that's why the
19 need for the moving of the fire hydrants,
20 because it's got to remain in the public right
21 of way, unless there was an easement given.
22 MR. KEENEY: Right.
23 MR. WIERTEL: Now, again, I wasn't a part
24 of this board or commission when you guys put
25 this agreement together, but I did read

1 guys haven't done any studies on that or said,
2 hey, is there any pedestrian load in the area,
3 and we're not going to do that.
4 So I find it safe to assume -- I mean, I
5 live there, too. I know I see some joggers go
6 up and down Crile Road, but they're typically
7 on the other side. Nothing connecting, right?
8 So, I guess, do we have to do those kind
9 of studies? Like there's a traffic study. Is
10 there a pedestrian load study that would need
11 to be done? I guess that's my question, if
12 we're asking them to meet requirements.
13 That's my input on it.
14 You know, I mean, I'm looking -- if you
15 give requirements, then you have to meet the
16 requirements to say, hey, it's time to put a
17 sidewalk in.
18 MR. KEENEY: And on that, just throwing
19 in a question, I guess. I don't know if the
20 township has a master plan as far as what the
21 sidewalk network for that Capital District is
22 eventually supposed to do or how it's supposed
23 to work.
24 So obviously there's residents, you know,
25 a little bit south, you know, in Quail. But

1 through it.
2 And by the way, I want to tell you, I
3 think you did a phenomenal job.
4 MR. NEKIC: Thanks.
5 MR. WIERTEL: I will say that. I live
6 right on Girdled Road. I pass it every day.
7 You did a very, very well done job.
8 And I don't know if you have to give an
9 answer to this question or not, but you did
10 say you're not opposed to putting the sidewalk
11 in at some point?
12 MR. NEKIC: Eventually, yes. Absolutely.
13 MR. WIERTEL: So it's still in good
14 faith, you'll put the sidewalk in when the
15 items that are in this agreement that you guys
16 have put together are there, right?
17 And so the question I have is, you know,
18 for us -- and maybe you could help me out
19 here, Heather. And I don't know, drafting
20 this, but there are some criteria that have
21 to be met for the sidewalk to go in, right?
22 Pedestrian load, necessary connections,
23 appropriate sidewalk connections to the
24 adjacent properties.
25 And have we done -- and I'm assuming you

1 the interesting thing is, there's no sidewalks
2 in there.
3 So it's like, there's no sidewalks in
4 there, and then there --
5 MR. WIERTEL: Where does it go to?
6 MR. KEENEY: I mean, I think John is
7 willing to invest in sidewalks. It's just,
8 let's try to make sure that it makes sense
9 with how things are going to network.
10 You know, is the ultimate goal to get
11 over to the other side of 44 where Sheetz is,
12 or to be able to go north or to go south? I
13 don't know if there is -- and maybe there's
14 not.
15 MR. WIERTEL: So there's -- oh, it is,
16 April 4th of 2023. So this is now a year and
17 a half old?
18 MR. REPERT: Yeah. Yeah.
19 MR. WIERTEL: And you just opened up
20 when? You just had your grand opening.
21 MR. NEKIC: Two weeks ago.
22 MR. WIERTEL: Two weeks ago.
23 MR. NEKIC: And we've yet to have anyone
24 walk.
25 MR. WIERTEL: Right.

1 MR. NEKIC: I mean, ice cream is a family
2 thing. People come with their children and
3 drive in, enjoy the ice cream, south side,
4 enjoy the fire, and they drive home. We have
5 yet to have anyone walk in. I'm not sure
6 where they would come from.

7 MR. KEENEY: And I think, to that point,
8 the last thing we want to do is put a sidewalk
9 that's going to, you know, take people to the
10 point at the south, you know what I mean, and
11 cause them to wind up somewhere that's putting
12 them in a dangerous situation. I think we
13 want to make sure that it's thought through,
14 and it's properly thought out.

15 MR. WIERTEL: Dustin, what would be the
16 approval process? Would it have to go
17 through -- so would that have to go through
18 the Planning Commission, Lake County? Because
19 it's the right of way, right?

20 So if they designed a sidewalk which has
21 to be in the public right of way, it's not
22 designed yet, okay? You know, when they did
23 the development plan, there was no sidewalk
24 designed correctly, right?

25 MR. KEENEY: Right.

1 this point.

2 The permitting process for sidewalks,
3 working the right of way, varies a lot by
4 jurisdiction. So I would imagine -- the
5 building permits are by the county. I imagine
6 this would be the County Engineer. But there
7 may be an additional level of your review or
8 Planning Commission review. It depends on how
9 you have it set up. So it varies a lot by
10 jurisdiction. But it would go through a
11 couple of levels of review, including the
12 County Engineer.

13 MR. NEKIC: I also had -- our hours
14 are -- we're open until 9:00. It is so dark
15 out there right now. And I think until the
16 infrastructure is in place where there are
17 sidewalks everywhere, and people could
18 comfortably walk them in every direction, it
19 would make sense. But right now, it's so
20 dark. And to have any family with children
21 walking down the street, I'd be terrified.
22 That's the last thing I'd want, for something
23 like that to happen.

24 MR. SCHINDLER: So the only business
25 you're getting right now is basically

1 MR. WIERTEL: Correct?

2 MR. KEENEY: I think the way that we
3 covered it was, there is a note on the set of
4 plans that indicates when it's time for the
5 sidewalks, they have to be approved through
6 the County Engineer's Office. I don't know
7 specifically if it would necessarily have to
8 go to Planning Commission.

9 MR. WIERTEL: Okay.

10 MR. KEENEY: But I think it would have to
11 go through a process.

12 MR. WIERTEL: Design review.

13 MR. KEENEY: At least --

14 MR. SCHINDLER: By the engineer, yeah.

15 MR. KEENEY: Go ahead.

16 MR. EDMAN: Good evening. My name is
17 Carter Edman. I'm an architect. I'm the
18 Director of Design for Marous Brothers
19 Construction. We're the design builder for
20 this project.

21 You know, I would want to reiterate
22 everything that's been said here. And of
23 course, I'm all in favor of walkable streets,
24 and so forth. But I agree with all the
25 statements about the practicality of this at

1 drive-in, right?

2 MR. NEKIC: It's all drive-in.

3 MR. SCHINDLER: People driving in --

4 MR. NEKIC: It's all drive-in.

5 MR. SCHINDLER: -- picking up the
6 product, and then leaving. We don't have
7 anybody walking down the streets, like you
8 said, come in and buy ice cream, right?

9 MR. NEKIC: Ice cream is a fun thing.
10 People come with their families and children,
11 they come and they sit by the fire. It's a
12 nice thing. But to actually get -- go for a
13 walk? I couldn't imagine. It's so dark, and
14 where would you possibly be coming from?

15 MR. WIERTEL: And I think, John, you're
16 looking for the future of the development,
17 too. That's where this commission has to look
18 at, is the future, right?

19 So yes, right now, okay, I think that we
20 have to plan for now, and for later, too,
21 right?

22 MR. NEKIC: I agree.

23 MR. WIERTEL: And you guys know that.
24 Everybody knows that. So I think that that's
25 probably the commission's -- you know, we have

21
1 to plan for the future, as well.
2 MR. NEKIC: Like I said, I'm not opposed.
3 I just think the timing is a little bit off.
4 MR. SCHINDLER: Could you take time to go
5 ahead and do the studies that are necessary,
6 like with the possible moving of the plugs or
7 not, what it would cost, and things of that
8 nature, to be prepared?
9 MR. NEKIC: Of course.
10 MR. SCHINDLER: So when the time comes,
11 you could bite the bullet and say, okay, we're
12 ready to go.
13 MR. NEKIC: Of course.
14 MR. SCHINDLER: I think that's -- that's
15 what I want.
16 MR. TERRIACO: Because in the agreement,
17 the size and scope, which shall be determined
18 by both parties.
19 MR. SCHINDLER: Right.
20 MR. TERRIACO: So we don't even have that
21 in front of us, to make that decision to give
22 an adequate time, right?
23 MR. WIERTEL: Yeah, I would like -- I
24 think that's a great idea. I think, do your
25 due diligence on the design, do the due

23
1 whatever they'd have to be, spaced out
2 accordingly to the other establishments, and
3 then they're ready to go.
4 MR. WIERTEL: Moving fireplugs is not
5 easy.
6 MR. SCHINDLER: No. And putting lines
7 in.
8 MR. WIERTEL: It's not easy.
9 MR. SCHINDLER: It's not easy.
10 MR. WIERTEL: That's an infrastructure
11 there.
12 MR. SCHINDLER: And another thing, you
13 talk about darkness. I would think we would
14 also want to know about lighting. You know,
15 is there adequate enough lighting for people,
16 like, now when it's dark and you're still
17 open, how would they get there? Well, at that
18 point they would need the sidewalks to walk
19 from one establishment to the other if the
20 appropriate lighting was there, too, to keep
21 them away from walking in the street.
22 So if that can all be basically done, and
23 the concept, and ready to go, I would be in
24 favor of doing something like that.
25 MR. KEENEY: So I guess just a question

22
1 diligence on the time frame of the approval
2 process.
3 I think you should put a cost analysis
4 together so that this board understands the
5 magnitude of what -- this commission
6 understands the magnitude of what you're
7 putting in there, and take into consideration,
8 you know, what you're talking about with that
9 sidewalk going in by the detention basin.
10 MR. SCHINDLER: Exactly.
11 MR. WIERTEL: Yeah, all those things into
12 consideration. I think that's a great idea.
13 And then come back.
14 MR. SCHINDLER: Well, that's what I would
15 like to see. This right here, it's already
16 been done up front, you know what it is. And
17 as the development continues with other
18 establishments coming in, where they would be
19 put together now, the customer is going from
20 one to the other, they would need the sidewalk
21 at that point, to me. And then it would make
22 sense to say, okay, now we're seeing what's
23 happened --
24 MR. WIERTEL: Now it's --
25 MR. SCHINDLER: -- the fireplugs are

24
1 from the process. So there is a note
2 specifically that was on the plan that said
3 all future sidewalk improvements shall be
4 approved by Concord Township and Lake County
5 Engineer and be constructed per Lake County
6 specifications, design, and construction of
7 public sidewalk. Okay.
8 So not to get lost into the semantics of
9 it, but when we talk about Concord, would that
10 be working with Heather's office, or would
11 that be the Service, or would that be with you
12 folks?
13 MR. SCHINDLER: We get the service of the
14 Lake County Engineers.
15 MR. KEENEY: Right.
16 MR. SCHINDLER: They are the ones that
17 get involved in this, because they give us the
18 insight, they provide us with reports --
19 MR. KEENEY: Right.
20 MR. SCHINDLER: -- that we look at, for
21 us to make a decision. We don't have an
22 engineering staff, okay?
23 MR. KEENEY: Okay.
24 MR. SCHINDLER: So we can't do something
25 like that. So you would have to put your plan

1 together, and then submit it to the County
 2 Engineers. All the appropriate departments
 3 would be contacted, like the fire department.
 4 MR. KEENEY: Right.
 5 MR. SCHINDLER: They would all have their
 6 input.
 7 MR. KEENEY: Right. But we have to meet
 8 the intent of the Zoning Code, right?
 9 MR. SCHINDLER: That's correct.
 10 MR. KEENEY: So would that be, I guess,
 11 you folks, or Heather?
 12 MR. WIERTEL: Both.
 13 MR. KEENEY: Both, okay.
 14 I just want to make it, if we kind of go
 15 down this road, that we --
 16 MR. SCHINDLER: Sure.
 17 MR. KEENEY: And I think we're happy to
 18 evaluate what's going on along our frontage.
 19 I don't know that we should be getting into
 20 evaluating what's going on beyond.
 21 That's where, I guess, I'm --
 22 MR. EDMAN: Like the lighting?
 23 MR. KEENEY: The lighting, and again, how
 24 you analyze -- you're still going to end with
 25 a sidewalk to no -- with no -- you can't

1 I know it's not easy to move fireplugs.
 2 MR. KEENEY: Right.
 3 MR. WIERTEL: So I know that that -- you
 4 know, just moving them here or there, five
 5 feet is a lot sometimes. But I think getting
 6 that due diligence and that homework done,
 7 coming back and saying, okay, now we have
 8 this, and there's time frames with that,
 9 right?
 10 So I can understand that time frame, and
 11 it's not just lickety split. Two days -- if
 12 you could design in two days, then I'm --
 13 MR. KEENEY: That's just getting
 14 something on paper.
 15 MR. WIERTEL: I understand.
 16 MR. KEENEY: There's a lot that comes
 17 after that.
 18 MR. WIERTEL: I understand that.
 19 MR. REPERT: I would do more than
 20 looking at fire hydrant replacement. I would
 21 be more inclined to help the sidewalk.
 22 MR. KEENEY: Right.
 23 MR. REPERT: I've seen it before. Not
 24 that -- it's a sidewalk. It's not a -- I
 25 mean, fire hydrants are going to be 10 times

1 predict the future, we can't predict the
 2 future. So how do we know --
 3 MR. EDMAN: If I --
 4 MR. KEENEY: Go ahead.
 5 MR. EDMAN: If I'm understanding
 6 correctly, what you're asking for is not for
 7 the property owner to conduct the traffic
 8 studies and all of that, but to do,
 9 essentially, a conceptual cost estimate --
 10 MR. SCHINDLER: Correct.
 11 MR. EDMAN: -- what it would take to
 12 install --
 13 MR. SCHINDLER: Correct.
 14 MR. WIERTEL: Correct.
 15 MR. EDMAN: -- a sidewalk.
 16 MR. TERRIACO: And reach out to the fire
 17 department, the water department, to start
 18 what that process would look like.
 19 MR. KEENEY: Sure.
 20 MR. WIERTEL: I think there's probably
 21 more to that than what most people are
 22 assuming that there is.
 23 MR. KEENEY: Right.
 24 MR. WIERTEL: Having been involved in
 25 that in the past myself, I will tell you that

1 more expensive, maybe 20.
 2 MR. KEENEY: Right.
 3 So is that, then, a silly question? Are
 4 there other sidewalks in the township, I would
 5 imagine, somewhere? Does the township -- does
 6 the Service Department plow the sidewalks?
 7 MS. FREEMAN: So --
 8 MR. KEENEY: I guess that's what I want
 9 to -- do we need to get input about if they're
 10 going to plow them to keep them clean, do we
 11 need to get their input on --
 12 MS. FREEMAN: Well, so the answer to the
 13 first part of the question, there is a
 14 sidewalk in front of Sheetz on Capital
 15 Parkway.
 16 MR. KEENEY: Right.
 17 MS. FREEMAN: Capital Parkway, that's a
 18 township road. I do not believe that our
 19 Service Department clears that. Crile Road
 20 would be a county road.
 21 MR. KEENEY: Okay.
 22 MS. FREEMAN: The County Engineer, in
 23 some previous conversations that we had early
 24 on back when this originally came up, they
 25 would likely not keep that clear, as well.

1 MR. KEENEY: Okay. Just from the design
 2 brain, making sure that if they have to clean
 3 them, that we don't do something that
 4 they're -- a plow can't do, you know. Okay.
 5 MR. REPERT: Anything else from the
 6 board?
 7 MR. SCHINDLER: Not from me,
 8 Mr. Chairman.
 9 MR. WIERTEL: Not from me.
 10 MR. O'LEARY: Mr. Chairman.
 11 MR. REPERT: Yes.
 12 MR. O'LEARY: So just to remind the board
 13 and our guests, the issue before the Zoning
 14 Commission this evening is to establish a
 15 date. There's already been a vote on
 16 October 1st to enact this part of the
 17 agreement. What I'm hearing is that you'd
 18 like to table this until they can come back
 19 with additional information, and then
 20 reconsider this date.
 21 Is that what I'm hearing, Mr. Chairman?
 22 MR. REPERT: I would like to get more
 23 information coming back to the board with
 24 respect to the timing. And the cost is not an
 25 issue for us. It is for you. But, you know,

1 this meeting. Whatever it takes to get to
 2 that, I think that would be part of your due
 3 diligence, as well.
 4 MR. REPERT: Anything else from you
 5 folks?
 6 MR. O'LEARY: So your next meeting is
 7 December 3rd. Are you asking them to collect
 8 that information and have it prepared for the
 9 December 3rd meeting?
 10 MR. REPERT: Is that possible?
 11 MR. O'LEARY: Or do we need to look at
 12 the beginning of 2025 to have that?
 13 MR. WIERTEL: It's a short period of
 14 time.
 15 MR. TERRIACO: It's too much work.
 16 MR. O'LEARY: How much time do you think
 17 you would need to meet with the stakeholders
 18 and the county, and come back with more of a
 19 complete plan? Is that 60 days? Is that
 20 90 days?
 21 MR. EDMAN: It depends on how --
 22 MR. O'LEARY: Understanding we've got a
 23 few holidays.
 24 MR. WIERTEL: I was going to say.
 25 MR. KEENEY: With the holidays, I would

1 timing for the design, and timing for the
 2 installation.
 3 MR. O'LEARY: Right.
 4 MR. REPERT: So if we want to do what
 5 Frank says, you know, cock it and we're ready
 6 to go, we have that information available.
 7 But I'd like that information coming back
 8 to the board so some of the other members can
 9 use that input to set a date that we can all
 10 agree upon.
 11 MR. WIERTEL: And I urge you on that,
 12 too, is when you speak with the County
 13 Engineers, is to get what they're expecting as
 14 to the approval process, as well, and their
 15 timeline. I would urge you with that.
 16 MR. KEENEY: Okay.
 17 MR. WIERTEL: Because, you know, what I
 18 don't want to see you guys do is get yourself
 19 into a pickle, or us, as the Zoning
 20 Commission, saying, hey, we have to enforce
 21 this, and the timeline goes beyond that. So
 22 let's not muddy up the waters with that.
 23 And I'm sure that they'd be more than
 24 willing to say, hey, you go through -- you
 25 know you have this meeting, then this meeting,

1 probably say 90, you know, 90 days.
 2 MR. O'LEARY: So if you did that, then it
 3 would take you to, what, February?
 4 MR. REPERT: February.
 5 MR. O'LEARY: The February meeting.
 6 MR. SCHINDLER: Yeah.
 7 MR. WIERTEL: And you'll also have a
 8 better expectation of what -- you're moving
 9 into the better time to plan for construction
 10 season, too.
 11 I'm not saying you're going to start it.
 12 I'm saying, you're coming back just with the
 13 information, John.
 14 MR. NEKIC: I just have two other
 15 projects that I'm considering here. This is
 16 going to put a huge damper on -- I'm a team
 17 player.
 18 MR. WIERTEL: So am I. I think we all
 19 are here.
 20 MR. NEKIC: That's what I expect from my
 21 community.
 22 MR. WIERTEL: And I think that that's
 23 what we're trying to give you, too. This
 24 board today, I mean, I think there might have
 25 been -- I think we're trying to be the same

1 team player and say, hey -- you know, again, I
2 compliment you highly on what you've done over
3 there. I'm a client. I've already washed my
4 cars multiple times there. I think it's
5 great. I think it's great for this community,
6 I think it's a great asset to this community.
7 And I think we're trying to be a team player
8 here, too, with you, to give you some time to
9 get your homework done, your due diligence
10 done, and then come back and evaluate at that
11 point.

12 MR. NEKIC: That's fair. Thank you.

13 MR. REPERT: Okay?

14 MR. KEENEY: So Heather, how far ahead
15 of the meetings do you usually like to have
16 stuff, just so you can distribute it? I mean,
17 obviously we'll come back and present.

18 MS. FREEMAN: Uh-huh. Usually I'll mail
19 packets a week prior to our meeting.

20 MR. KEENEY: Okay.

21 MR. O'LEARY: So Mr. Chairman, if you're
22 going to table this, you need to do a motion
23 to table it.

24 MR. REPERT: Yeah, we're going to have
25 to have a motion to table.

1 MR. KEENEY: We can give some options of
2 potentially relocating the hydrants, trying
3 to go in front of the hydrants, trying to go
4 behind. You know, we could look at it a
5 couple of different ways.

6 MR. O'LEARY: Right. Okay.

7 Mr. Chairman, is that acceptable to you?

8 MR. REPERT: Are you guys okay with
9 that?

10 MR. SCHINDLER: I am, Mr. Chairman.

11 MR. WIERTEL: Yeah.

12 MR. REPERT: Would you make a motion?

13 MR. WIERTEL: I'll make a motion.

14 MR. REPERT: I'm not going to tell you
15 to.

16 MR. WIERTEL: Sure, I'll make a motion.
17 So I've got to get this right.

18 MR. O'LEARY: You're going to make a
19 motion to table for consideration the final
20 date of completion on this project for the
21 sidewalks until the February meeting so that
22 the developer can come back with information
23 on alternatives to where to put the sidewalk,
24 having spoken to the County Engineers, the
25 fire department, the water department, and

1 MR. O'LEARY: And then I think the motion
2 should be clear as to what expectation, as far
3 as what information is going to come back.
4 Because the idea is that when that comes back,
5 the commission is going to have to make a
6 determination as to a date of completion.
7 Because that's the only thing that's on this
8 right now for consideration. And it could
9 be -- it doesn't have to -- you don't have to
10 decide it at the February meeting, but at
11 least you should have the information.

12 So would somebody write down what
13 information we're going to expect them to
14 bring back? You're going to talk to the
15 county, right?

16 MR. TERRIACO: Uh-huh.

17 MR. O'LEARY: You're going to talk to the
18 fire department.

19 MR. TERRIACO: Water Department, County
20 Engineers.

21 MR. O'LEARY: What was that?

22 MR. TERRIACO: County Engineers.

23 MR. O'LEARY: Right.

24 And then are you going to give a couple
25 of different options of what --

1 Heather. So that's your motion.

2 MS. FREEMAN: So moved.

3 MR. O'LEARY: So that's your motion.

4 MR. WIERTEL: That's my motion.

5 MR. TERRIACO: That's your motion.

6 MR. WIERTEL: That's my motion.

7 MS. FREEMAN: So moved.

8 MR. WIERTEL: I motion what he said.

9 Do I have to say all those words?

10 MR. O'LEARY: You don't have to say all
11 that.

12 MR. WIERTEL: Okay. I make a motion to
13 table this item on the agenda until the
14 February meeting --

15 MR. O'LEARY: Right.

16 MR. WIERTEL: -- so that the developer
17 can do his due diligence, and meet with the
18 necessary stakeholders to provide the
19 necessary information for us to -- for the
20 commission to then try to establish --

21 MR. O'LEARY: A completion date.

22 MR. WIERTEL: -- a completion date.

23 MR. SCHINDLER: Amen.

24 MR. REPERT: Do I have a second?

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

1 MR. REPERT: All those in favor?
2 MR. WIERTEL: Aye.
3 MR. REPERT: Aye.
4 MR. TERRIACO: Aye.
5 MR. SCHINDLER: Aye.
6 MR. REPERT: Any abstentions? Any nays?
7 The motion is passed. Okay.
8 Thank you, gentlemen, very much.
9 MR. NEKIC: Thank you. I appreciate it.
10 MR. WIERTEL: Thanks, guys. Appreciate
11 it.
12 MR. O'LEARY: Just for point of
13 clarification. Heather, do you normally take
14 a roll call vote?
15 MS. FREEMAN: It depends. We probably
16 would have.
17 MR. O'LEARY: All right.
18 Mr. Chairman, if it's okay with you, can
19 I ask Heather to do a roll call?
20 MR. REPERT: Yes. Do a roll call.
21 MR. O'LEARY: Just to make sure. It's
22 not going to change the vote. I just want to
23 make sure that the record is corrected so that
24 there's no question as to what the board is
25 doing.

37

1 December.
2 MR. SCHINDLER: Okay.
3 MR. WIERTEL: You made a motion to table
4 it?
5 MR. REPERT: No, I'd like to have a
6 motion to table it.
7 MR. WIERTEL: Oh.
8 MR. SCHINDLER: Mr. Chairman, I so move
9 that we table this next work session for Old
10 Business until --
11 MR. REPERT: Is there a second?
12 MR. TERRIACO: Second.
13 MR. SCHINDLER: -- the next meeting.
14 MR. REPERT: Do you want to call the
15 roll on this one?
16 MS. FREEMAN: Oh, sure.
17 MR. REPERT: Why not?
18 MS. FREEMAN: Sure. Why not?
19 Mr. Schindler.
20 MR. SCHINDLER: Yes.
21 MS. FREEMAN: Mr. Reppert.
22 MR. REPERT: Yes.
23 MS. FREEMAN: Mr. Terriaco.
24 MR. TERRIACO: Yes.
25 MS. FREEMAN: Mr. Wiertel.

39

1 MS. FREEMAN: Mr. Wiertel.
2 MR. WIERTEL: Yes.
3 MS. FREEMAN: Mr. Terriaco.
4 MR. TERRIACO: Yes.
5 MS. FREEMAN: Mr. Reppert.
6 MR. REPERT: Yes.
7 MS. FREEMAN: And Mr. Schindler.
8 MR. SCHINDLER: Yes.
9 MR. KEENEY: Thank you. Enjoy the
10 holidays, and we'll see you in a couple of
11 months.
12 MR. WIERTEL: Thanks for being here,
13 guys. Appreciate it.
14 MR. REPERT: On Old Business, work
15 session to review proposed zoning text
16 amendments as outlined in the memo dated
17 July 30, 2024 for modifications to district
18 uses.
19 With our short attendance here, I would
20 like to -- I would like to entertain a motion
21 to table that work session until next month.
22 MR. SCHINDLER: Are all the guys supposed
23 to be back by next month, or do you know?
24 MS. FREEMAN: As far as I'm aware. I
25 don't know of any absences in advance for

38

1 MR. WIERTEL: Yes.
2 MR. REPERT: Okay, the motion is
3 carried.
4 Any abstentions? Any nays?
5 None heard. The motion is carried.
6 Next meeting, December 3rd, 2024.
7 Motion to adjourn?
8 MR. WIERTEL: Motion to adjourn.
9 MR. TERRIACO: Second.
10 MR. REPERT: We're adjourned.
11 MR. O'LEARY: Did you say, all in favor?
12 MR. REPERT: All in favor?
13 MR. SCHINDLER: Aye.
14 MR. WIERTEL: Aye.
15 MR. TERRIACO: Aye.
16 MR. REPERT: Aye.
17 MR. O'LEARY: Okay. Sorry, Mr. Chairman.
18 MR. REPERT: That's okay. Keep me
19 honest.
20 (Whereupon, the meeting was adjourned at
21 7:36 p.m.)
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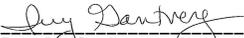
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State of Ohio,)
County of Cuyahoga.) ss:

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.



MR. EDMAN: [7] 18/16 25/22
26/3 26/5 26/11 26/15 31/21
MR. KEENEY: [48]
MR. NEKIC: [24] 4/4 4/9
4/11 6/12 6/14 7/17 8/18 14/4
14/12 16/21 16/23 17/1 19/13
20/2 20/4 20/9 20/22 21/2
21/9 21/13 32/14 32/20 33/12
37/9
MR. O'LEARY: [25] 29/10
29/12 30/3 31/6 31/11 31/16
31/22 32/2 32/5 33/21 34/1
34/17 34/21 34/23 35/6 35/18
36/3 36/10 36/15 36/21 37/12
37/17 37/21 40/11 40/17
MR. REPERT: [45]
MR. SCHINDLER: [39] 2/12
2/21 3/11 18/14 19/24 20/3
20/5 21/4 21/10 21/14 21/19
22/10 22/14 22/25 23/6 23/9
23/12 24/13 24/16 24/20
24/24 25/5 25/9 25/16 26/10
26/13 29/7 32/6 35/10 36/23
36/25 37/5 38/8 38/22 39/2
39/8 39/13 39/20 40/13
MR. TERRIACO: [23] 2/10
3/1 8/8 8/19 10/17 11/4 11/11
11/25 12/7 21/16 21/20 26/16
31/15 34/16 34/19 34/22 36/5
37/4 38/4 39/12 39/24 40/9
40/15
MR. WIERTEL: [64]
MS. FREEMAN: [24] 2/7 2/9
2/11 2/13 3/5 3/8 28/7 28/12
28/17 28/22 33/18 36/2 36/7
37/15 38/1 38/3 38/5 38/7
38/24 39/16 39/18 39/21
39/23 39/25

1
10 [1] 27/25
1st [1] 29/16

2
20 [2] 12/5 28/1
20/20 [1] 12/5
2023 [1] 16/16
2024 [3] 1/12 38/17 40/6
2025 [1] 31/12
2028 [1] 41/19

3
30 [1] 38/17
34600 [1] 8/22
3rd [3] 31/7 31/9 40/6

4
44 [2] 5/11 16/11
44077 [2] 1/10 4/6
44094 [1] 8/23
4th [1] 16/16

5
5th [1] 2/4

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60 [1] 31/19
6814 [1] 4/5

7
7229 [1] 1/9
7:00 [1] 1/13
7:36 [1] 40/21

9
90 [3] 31/20 32/1 32/1
9:00 [1] 19/14

A
able [1] 16/12
absences [1] 38/25
absolutely [2] 4/17 14/12
abstentions [2] 37/6 40/4
acceptable [1] 35/7
accordance [1] 3/20
accordingly [1] 23/2
across [1] 6/15
action [1] 41/14
actually [2] 4/11 20/12
add [1] 2/19
additional [2] 19/7 29/19
address [1] 4/2
adequate [2] 21/22 23/15
adjacent [2] 4/22 14/24
adjourn [2] 40/7 40/8
adjourned [2] 40/10 40/20
advance [1] 38/25
after [1] 27/17
again [6] 7/5 7/9 7/10 13/23
25/23 33/1
agenda [1] 36/13
ago [3] 4/15 16/21 16/22
agree [4] 7/7 18/24 20/22
30/10
agreed [2] 4/17 4/19
agreement [7] 3/20 9/24
13/4 13/25 14/15 21/16 29/17
ahead [4] 18/15 21/5 26/4
33/14
allowed [1] 11/13
along [4] 9/11 9/16 12/14
25/18
already [3] 22/15 29/15 33/3
also [6] 1/21 2/4 8/15 19/13
23/14 32/7
alternates [1] 10/1
alternatives [1] 35/23
always [1] 12/4
am [6] 4/11 5/1 5/7 32/18
35/10 41/12
Amen [1] 36/23
amendments [1] 38/16
amount [1] 10/23
analysis [1] 22/3
analyze [1] 25/24
another [1] 23/12
answer [3] 9/23 14/9 28/12
anybody [4] 3/14 3/17 3/25
20/7

anyone [2] 16/23 17/5
anything [6] 6/10 7/3 11/14
13/6 29/5 31/4
appreciate [3] 37/9 37/10
38/13
appropriate [4] 4/22 14/23
23/20 25/2
approval [6] 2/15 2/17 8/14
17/16 22/1 30/14
approved [2] 18/5 24/4
April [1] 16/16
April 4th [1] 16/16
architect [1] 18/17
area [1] 15/2
around [2] 10/3 10/8
ask [2] 8/14 37/19
asking [3] 15/12 26/6 31/7
asset [1] 33/6
assume [1] 15/4
assuming [2] 14/25 26/22
assumption [1] 13/17
attendance [1] 38/19
audience [1] 4/1
Auto [1] 4/14
available [1] 30/6
aware [1] 38/24
away [2] 11/9 23/21
Aye [8] 37/2 37/3 37/4 37/5
40/13 40/14 40/15 40/16

B
back [19] 9/1 11/19 12/9
12/12 22/13 27/7 28/24 29/18
29/23 30/7 31/18 32/12 33/10
33/17 34/3 34/4 34/14 35/22
38/23
bait [1] 6/19
basically [2] 19/25 23/22
basin [4] 12/15 12/17 12/19
22/9
beautiful [1] 5/7
because [12] 7/20 9/10 11/7
11/16 11/20 13/20 17/18
21/16 24/17 30/17 34/4 34/7
been [8] 8/8 12/10 13/18
18/22 22/16 26/24 29/15
32/25
before [3] 9/24 27/23 29/13
beginning [1] 31/12
behind [2] 11/20 35/4
behold [1] 10/24
being [4] 3/23 11/19 11/21
38/12
believe [1] 28/18
better [3] 8/7 32/8 32/9
between [2] 3/21 9/12
beyond [3] 5/6 25/20 30/21
big [4] 5/22 6/20 7/17 7/24
bit [5] 10/18 11/16 13/18
15/25 21/3
bite [1] 21/11
bizarre [1] 5/16
board [8] 13/24 22/4 29/6
29/12 29/23 30/8 32/24 37/24
both [3] 21/18 25/12 25/13

brain [1] 29/2
bring [1] 34/14
Brothers [1] 18/18
build [3] 4/17 6/2 6/16
builder [2] 8/5 18/19
building [1] 19/5
buildings [2] 6/5 6/22
builds [1] 6/4
built [2] 5/3 5/4
bullet [1] 21/11
business [7] 3/15 3/16 3/18
13/18 19/24 38/14 39/10
busy [1] 5/12
buy [1] 20/8

C
call [6] 2/2 2/6 37/14 37/19
37/20 39/14
came [3] 10/20 10/22 28/24
can't [4] 24/24 25/25 26/1
29/4
Capital [4] 9/4 15/21 28/14
28/17
caption [1] 41/10
career [1] 10/21
carried [2] 40/3 40/5
cars [1] 33/4
Carter [1] 18/17
cause [2] 9/19 17/11
CERTIFICATE [1] 41/1
certify [2] 41/8 41/12
Chair [1] 1/19
Chairman [11] 2/21 29/8
29/10 29/21 33/21 35/7 35/10
36/25 37/18 39/8 40/17
challenge [1] 10/7
challenging [2] 9/9 12/14
change [1] 37/22
changed [3] 4/25 5/14 7/8
Chardon [1] 8/22
charge [1] 4/11
children [3] 17/2 19/20
20/10
city [1] 7/2
civil [1] 8/24
clarification [1] 37/13
clean [2] 28/10 29/2
clear [2] 28/25 34/2
clears [1] 28/19
client [1] 33/3
cock [1] 30/5
Code [1] 25/8
collect [1] 31/7
come [13] 9/25 17/2 17/6
20/8 20/10 20/11 22/13 29/18
31/18 33/10 33/17 34/3 35/22
comes [4] 12/12 21/10 27/16
34/4
comfortably [1] 19/18
coming [7] 5/11 20/14 22/18
27/7 29/23 30/7 32/12
comment [1] 9/3
commission [15] 1/2 1/18
2/3 3/21 13/24 17/18 18/8
19/8 20/17 22/5 29/14 30/20

C
commission... [3] 34/5 36/20 41/19
commission's [1] 20/25
commissioned [1] 41/7
community [4] 5/6 32/21 33/5 33/6
complete [2] 31/19 41/9
completion [5] 3/19 34/6 35/20 36/21 36/22
complicated [1] 11/15
compliment [1] 33/2
concept [1] 23/23
conceptual [1] 26/9
concern [1] 9/22
CONCORD [10] 1/2 1/8 1/10 2/3 3/21 4/5 5/1 5/21 24/4 24/9
conduct [1] 26/7
connecting [1] 15/7
connections [4] 4/21 4/22 14/22 14/23
consideration [5] 8/4 22/7 22/12 34/8 35/19
considering [1] 32/15
constructed [1] 24/5
construction [3] 18/19 24/6 32/9
constructive [1] 6/8
contact [1] 10/24
contacted [1] 25/3
continues [1] 22/17
conversation [1] 8/9
conversations [1] 28/23
coordination [1] 12/2
correct [12] 12/7 12/22 12/25 13/2 13/14 13/15 18/1 25/9 26/10 26/13 26/14 41/8
corrected [1] 37/23
correctly [2] 17/24 26/6
correspondence [2] 2/20 3/3
cost [4] 21/7 22/3 26/9 29/24
could [12] 10/2 10/3 10/13 11/1 12/13 14/18 19/17 21/4 21/11 27/12 34/8 35/4
couldn't [1] 20/13
counsel [2] 1/23 41/13
county [19] 1/3 17/18 18/6 19/5 19/6 19/12 24/4 24/5 24/14 25/1 28/20 28/22 30/12 31/18 34/15 34/19 34/22 35/24 41/3
couple [6] 10/14 11/7 19/11 34/24 35/5 38/10
course [3] 18/23 21/9 21/13
covered [1] 18/3
cream [5] 11/22 17/1 17/3 20/8 20/9
Creamery [1] 4/13
Crile [9] 3/23 3/23 4/13 4/13 5/11 6/18 6/18 15/6 28/19
criteria [1] 14/20
criticism [1] 6/8

cross [1] 7/1
culverts [1] 10/9
customer [1] 22/19
Cuyahoga [1] 41/3

D
damper [1] 32/16
dangerous [2] 7/13 17/12
dark [6] 6/18 9/21 19/14 19/20 20/13 23/16
darkness [1] 23/13
date [9] 3/19 4/23 29/15 29/20 30/9 34/6 35/20 36/21 36/22
dated [1] 38/16
day [2] 2/5 14/6
days [6] 10/14 27/11 27/12 31/19 31/20 32/1
deal [2] 7/18 7/24
December [4] 31/7 31/9 39/1 40/6
December 3rd [3] 31/7 31/9 40/6
decide [2] 7/11 34/10
decision [2] 21/21 24/21
decisions [1] 11/8
demand [1] 4/20
department [14] 8/13 8/16 10/25 10/25 12/3 25/3 26/17 26/17 28/6 28/19 34/18 34/19 35/25 35/25
departments [1] 25/2
depends [3] 19/8 31/21 37/15
design [10] 7/16 10/12 18/12 18/18 18/19 21/25 24/6 27/12 29/1 30/1
designated [1] 3/19
designed [6] 8/1 10/14 13/11 17/20 17/22 17/24
designing [1] 9/6
detention [4] 12/15 12/17 12/19 22/9
determination [1] 34/6
determined [1] 21/17
develop [1] 8/12
developer [2] 35/22 36/16
development [3] 17/23 20/16 22/17
did [9] 8/24 9/23 13/25 14/3 14/7 14/9 17/22 32/2 40/11
didn't [1] 8/3
different [2] 34/25 35/5
diligence [6] 21/25 22/1 27/6 31/3 33/9 36/17
direction [1] 19/18
Director [2] 1/22 18/18
discussion [1] 4/1
distribute [1] 33/16
district [3] 9/5 15/21 38/17
ditch [3] 9/14 10/8 11/24
ditches [4] 6/20 9/17 9/18 10/10
doesn't [4] 6/21 6/24 12/5 34/9

doing [3] 7/9 23/24 37/25
don't [20] 6/2 7/17 8/5 8/18 12/9 12/20 14/8 14/19 15/19 16/13 18/6 20/6 21/20 24/21 25/19 29/3 30/18 34/9 36/10 38/25
done [11] 12/10 14/7 14/25 15/1 15/11 22/16 23/22 27/6 33/2 33/9 33/10
down [7] 5/1 6/20 15/6 19/21 20/7 25/15 34/12
drafting [1] 14/19
drive [5] 17/3 17/4 20/1 20/2 20/4
drive-in [3] 20/1 20/2 20/4
driving [1] 20/3
due [6] 21/25 21/25 27/6 31/2 33/9 36/17
duly [1] 41/7
Dustin [3] 8/21 12/20 17/15

E
early [1] 28/23
easement [1] 13/21
easements [1] 13/4
easy [4] 23/5 23/8 23/9 27/1
economical [1] 10/5
edge [1] 9/12
Edinboro [1] 4/5
Edman [1] 18/17
either [2] 10/2 41/13
Election [1] 2/4
else [2] 29/5 31/4
enact [1] 29/16
end [1] 25/24
enforce [1] 30/20
engineer [5] 18/14 19/6 19/12 24/5 28/22
Engineer's [1] 18/6
engineering [2] 8/22 24/22
Engineers [6] 24/14 25/2 30/13 34/20 34/22 35/24
enjoy [3] 17/3 17/4 38/9
enough [1] 23/15
entertain [1] 38/20
Especially [1] 3/12
Esq [1] 1/23
essentially [1] 26/9
establish [3] 3/18 29/14 36/20
establishment [1] 23/19
establishments [2] 22/18 23/2
estimate [1] 26/9
evaluate [2] 25/18 33/10
evaluating [1] 25/20
even [1] 21/20
evening [4] 3/6 4/4 18/16 29/14
event [1] 41/14
eventually [2] 14/12 15/22
every [2] 14/6 19/18
Everybody [1] 20/24
everything [1] 18/22
everywhere [1] 19/17

Exactly [1] 22/10
expect [2] 32/20 34/13
expectation [2] 32/8 34/2
expecting [1] 30/13
expensive [1] 28/1
Expires [1] 41/19

F
fair [1] 33/12
faith [1] 14/14
families [1] 20/10
family [2] 17/1 19/20
far [6] 8/9 11/12 15/20 33/14 34/2 38/24
favor [5] 18/23 23/24 37/1 40/11 40/12
February [6] 32/3 32/4 32/5 34/10 35/21 36/14
feet [1] 27/5
few [3] 4/19 5/20 31/23
final [2] 3/19 35/19
find [1] 15/4
finished [1] 5/16
fire [16] 7/20 7/24 8/10 8/13 10/24 12/3 13/13 13/19 17/4 20/11 25/3 26/16 27/20 27/25 34/18 35/25
fireplugs [3] 22/25 23/4 27/1
first [2] 7/19 28/13
five [3] 4/23 6/3 27/4
folks [4] 9/20 24/12 25/11 31/5
follow [1] 7/10
foregoing [2] 41/8 41/10
forth [1] 18/24
forward [1] 11/23
frame [3] 11/6 22/1 27/10
frames [1] 27/8
Frank [3] 1/19 2/20 30/5
frankly [1] 12/6
Freeman [1] 1/22
front [4] 21/21 22/16 28/14 35/3
frontage [1] 25/18
fun [1] 20/9
further [1] 41/12
future [6] 20/16 20/18 21/1 24/3 26/1 26/2

G
Gantverg [2] 41/5 41/17
gentlemen [1] 37/8
gets [2] 6/15 11/15
getting [4] 19/25 25/19 27/5 27/13
Girdled [1] 14/6
give [8] 14/8 15/15 21/21 24/17 32/23 33/8 34/24 35/1
given [1] 13/21
go [31] 3/10 6/17 7/11 9/11 9/13 10/15 10/16 10/18 12/10 14/21 15/5 16/5 16/12 16/12 17/16 17/17 18/8 18/11 18/15 19/10 20/12 21/4 21/12 23/3 23/23 25/14 26/4 30/6 30/24

G
go... [2] 35/3 35/3
goal [1] 16/10
goes [2] 9/14 30/21
going [34] 2/17 2/19 3/9 5/9 5/10 5/22 5/24 5/25 9/1 10/9 15/3 16/9 17/9 22/9 22/19 25/18 25/20 25/24 27/25 28/10 31/24 32/11 32/16 33/22 33/24 34/3 34/5 34/13 34/14 34/17 34/24 35/14 35/18 37/22
good [3] 4/4 14/13 18/16
goofy [1] 12/1
got [5] 5/23 13/4 13/20 31/22 35/17
grading [2] 10/11 12/16
grand [1] 16/20
grass [1] 5/18
great [5] 21/24 22/12 33/5 33/5 33/6
Group [1] 3/22
grow [1] 5/19
guess [8] 10/1 15/8 15/11 15/19 23/25 25/10 25/21 28/8
guests [1] 29/13
guys [13] 7/11 7/19 8/1 8/6 13/24 14/15 15/1 20/23 30/18 35/8 37/10 38/13 38/22

H
half [1] 16/17
Hall [1] 1/8
happen [3] 5/25 9/20 19/23
happened [2] 7/21 22/23
happy [1] 25/17
has [8] 5/14 7/8 8/8 13/1 13/8 15/20 17/20 20/17
haven't [1] 15/1
having [3] 13/17 26/24 35/24
he [2] 9/21 36/8
heard [1] 40/5
hearing [2] 29/17 29/21
Heather [9] 1/22 2/6 3/4 14/19 25/11 33/14 36/1 37/13 37/19
Heather's [1] 24/10
help [2] 14/18 27/21
here [14] 2/16 3/2 3/10 3/18 12/12 14/19 18/22 22/15 27/4 32/15 32/19 33/8 38/12 38/19
hereby [1] 41/7
hey [5] 15/2 15/16 30/20 30/24 33/1
highly [1] 33/2
Hills [1] 8/23
hindsight [1] 12/4
Hiram [1] 1/19
his [1] 36/17
history [1] 9/1
holidays [3] 31/23 31/25 38/10
home [1] 17/4
homework [2] 27/6 33/9

honest [1] 40/19
hours [1] 19/13
how [14] 6/24 7/15 8/6 8/16 10/19 15/22 16/9 19/8 23/17 25/23 26/2 31/16 31/21 33/14
however [1] 8/1
huge [1] 32/16
huh [2] 33/18 34/16
hydrant [2] 12/11 27/20
hydrants [22] 7/21 7/24 8/3 8/10 8/13 8/14 9/10 10/2 10/3 10/4 10/6 10/8 10/19 10/23 11/13 11/16 11/18 13/13 13/19 27/25 35/2 35/3

I
I'd [5] 2/2 19/21 19/22 30/7 39/5
I'll [3] 33/18 35/13 35/16
I'm [40] 4/8 5/2 5/4 5/5 5/10 5/20 5/21 5/22 5/24 6/4 6/7 6/8 7/1 7/8 7/21 8/5 8/5 10/20 10/21 12/20 14/25 15/14 17/5 18/17 18/17 18/23 21/2 25/21 26/5 27/12 29/17 29/21 30/23 32/11 32/12 32/15 32/16 33/3 35/14 38/24
I've [3] 27/23 33/3 35/17
ice [5] 11/22 17/1 17/3 20/8 20/9

idea [3] 21/24 22/12 34/4
imagine [4] 19/4 19/5 20/13 28/5
improvements [1] 24/3
IN9 [2] 3/22 4/12
inclined [1] 27/21
including [1] 19/11
indicates [1] 18/4
information [11] 29/19 29/23 30/6 30/7 31/8 32/13 34/3 34/11 34/13 35/22 36/19
infrastructure [3] 4/21 19/16 23/10
input [5] 15/13 25/6 28/9 28/11 30/9
inside [1] 11/17
insight [1] 24/18
Inspector [2] 1/23 3/4
install [2] 8/12 26/12
installation [1] 30/2
Instead [1] 12/8
intended [1] 3/14
intent [1] 25/8
interested [1] 41/13
interesting [1] 16/1
interrupt [1] 12/21
invest [2] 5/24 16/7
involved [2] 24/17 26/24
is [74]
issue [4] 9/19 12/17 29/13 29/25
it [69]
item [1] 36/13
items [1] 14/15
Ivy [2] 41/5 41/17

J
James [1] 1/23
job [2] 14/3 14/7
jog [3] 10/3 10/8 12/9
joggers [1] 15/5
jogging [2] 12/8 12/18
jogs [1] 12/12
John [7] 1/20 2/22 4/4 4/7 16/6 20/15 32/13
Johnny's [1] 4/14
July [1] 38/17
July 30 [1] 38/17
jurisdiction [2] 19/4 19/10
just [30] 5/1 5/8 5/20 5/22 6/2 6/9 7/12 9/11 11/6 11/17 12/3 12/16 15/18 16/7 16/19 16/20 21/3 23/25 25/14 27/4 27/11 27/13 29/1 29/12 32/12 32/14 33/16 37/12 37/21 37/22

K
Keeney [1] 8/21
keep [4] 23/20 28/10 28/25 40/18
kind [4] 5/4 5/24 15/8 25/14
know [53]
knows [1] 20/24

L
LAKE [5] 1/3 17/18 24/4 24/5 24/14
landscaping [1] 5/18
large [1] 10/23
last [6] 4/7 4/24 5/14 7/5 17/8 19/22
later [1] 20/20
least [2] 18/13 34/11
leave [1] 10/4
leaving [1] 20/6
legal [2] 1/23 13/7
let [1] 5/18
let's [3] 3/25 16/8 30/22
level [1] 19/7
levels [1] 19/11
lickety [1] 27/11
lighting [5] 23/14 23/15 23/20 25/22 25/23
likely [2] 13/17 28/25
lines [2] 11/14 23/6
little [5] 4/13 11/16 12/10 15/25 21/3
live [4] 5/1 5/5 14/5 15/5
LLC [1] 3/22
load [3] 14/22 15/2 15/10
located [1] 3/22
long [3] 7/15 8/6 8/16
look [6] 12/13 20/17 24/20 26/18 31/11 35/4
looking [4] 11/6 15/14 20/16 27/20
looks [2] 6/4 6/5
lost [1] 24/8
lot [4] 19/3 19/9 27/5 27/16

M
made [3] 7/19 11/8 39/3
magnitude [2] 22/5 22/6
mail [1] 33/18
make [19] 3/11 5/6 6/21 6/24 16/8 17/13 19/19 21/21 22/21 24/21 25/14 34/5 35/12 35/13 35/16 35/18 36/12 37/21 37/23
makes [4] 5/8 6/16 7/6 16/8
making [1] 29/2
Marous [1] 18/18
master [1] 15/20
may [1] 19/7
maybe [3] 14/18 16/13 28/1
me [9] 5/19 6/14 7/4 8/6 14/18 22/21 29/7 29/9 40/18
mean [10] 12/21 13/6 15/4 15/14 16/6 17/1 17/10 27/25 32/24 33/16
meet [5] 15/12 15/15 25/7 31/17 36/17
meeting [17] 1/4 3/10 5/15 7/5 30/25 30/25 31/1 31/6 31/9 32/5 33/19 34/10 35/21 36/14 39/13 40/6 40/20
meetings [1] 33/15
Member [3] 1/19 1/20 1/20
members [3] 1/18 7/6 30/8
memo [1] 38/16
mentioned [1] 9/21
Mentor [1] 12/10
met [3] 4/15 4/24 14/21
might [2] 3/11 32/24
mind [1] 5/3
minutes [4] 2/16 2/16 2/18 3/12
mistake [1] 7/20
modifications [1] 38/17
money [2] 5/4 5/25
month [3] 2/19 38/21 38/23
months [2] 11/7 38/11
more [9] 10/5 13/16 26/21 27/19 27/21 28/1 29/22 30/23 31/18
most [1] 26/21
motion [22] 33/22 33/25 34/1 35/12 35/13 35/16 35/19 36/1 36/3 36/4 36/5 36/6 36/8 36/12 37/7 38/20 39/3 39/6 40/2 40/5 40/7 40/8
Mountain [2] 4/13 12/11
move [6] 7/20 10/2 11/18 11/23 27/1 39/8
moved [2] 36/2 36/7
moving [7] 2/15 10/5 13/19 21/6 23/4 27/4 32/8
Mr [3] 39/8 39/23 39/25
Mr. [20] 2/7 2/9 2/11 2/13 2/21 29/8 29/10 29/21 33/21 35/7 35/10 36/25 37/18 38/1 38/3 38/5 38/7 39/19 39/21 40/17
Mr. Chairman [10] 2/21 29/8

M
Mr. Chairman... [8] 29/10
29/21 33/21 35/7 35/10 36/25
37/18 40/17
Mr. Reppert [3] 2/13 38/5
39/21
Mr. Schindler [3] 2/11 38/7
39/19
Mr. Terriaco [2] 2/9 38/3
Mr. Wiertel [2] 2/7 38/1
much [3] 31/15 31/16 37/8
muddy [1] 30/22
multiple [1] 33/4
my [15] 6/3 6/3 6/14 7/1
10/21 13/17 15/11 15/13
18/16 32/20 33/3 36/4 36/6
41/9 41/19
myself [1] 26/25

N
N-E-K-I-C [1] 4/9
name [3] 4/2 4/8 18/16
nature [1] 21/8
nays [2] 37/6 40/4
necessarily [1] 18/7
necessary [5] 4/18 14/22
21/5 36/18 36/19
need [9] 13/19 15/10 22/20
23/18 28/9 28/11 31/11 31/17
33/22
neighbor [2] 6/4 6/15
Nekic [2] 4/4 4/9
network [2] 15/21 16/9
new [4] 3/15 3/18 4/13 6/18
next [7] 2/18 31/6 38/21
38/23 39/9 39/13 40/6
nice [1] 20/12
no [14] 3/2 3/7 5/3 5/8 7/6
9/3 16/1 16/3 17/23 23/6
25/25 25/25 37/24 39/5
none [7] 2/21 2/23 2/24 3/1
3/2 4/24 40/5
normally [1] 37/13
north [1] 16/12
not [47]
Notary [2] 41/6 41/17
note [2] 18/3 24/1
notes [1] 41/9
nothing [3] 5/14 7/7 15/7
November [4] 1/12 2/4 2/19
41/19
November 5th [1] 2/4
now [20] 5/8 5/19 6/9 6/17
6/21 6/24 11/17 13/23 16/16
19/15 19/19 19/25 20/19
20/20 22/19 22/22 22/24
23/16 27/7 34/8
nowhere [1] 7/7
number [4] 3/23 10/19 10/20
10/22

O
O'Leary [1] 1/23
obviously [2] 15/24 33/17

October [2] 2/18 29/16
October 1st [1] 29/16
off [2] 9/20 21/3
office [2] 18/6 24/10
oh [3] 16/15 39/7 39/16
OHIO [7] 1/3 1/10 4/5 8/23
41/2 41/7 41/18
old [8] 3/15 3/23 4/12 6/3
6/17 16/17 38/14 39/9
one [9] 5/3 7/5 9/23 11/24
12/1 12/3 22/20 23/19 39/15
ones [1] 24/16
only [2] 19/24 34/7
open [4] 3/25 6/7 19/14
23/17
opened [1] 16/19
opening [1] 16/20
opposed [3] 6/8 14/10 21/2
options [3] 11/1 34/25 35/1
order [1] 2/2
originally [1] 28/24
other [10] 5/20 15/7 16/11
22/17 22/20 23/2 23/19 28/4
30/8 32/14
otherwise [1] 41/13
our [8] 5/14 7/5 19/13 25/18
28/18 29/13 33/19 38/19
out [7] 8/13 12/8 14/18 17/14
19/15 23/1 26/16
outlined [1] 38/16
over [6] 5/6 5/25 6/1 11/14
16/11 33/2
owner [2] 4/12 26/7

P
p.m [2] 1/13 40/21
packets [1] 33/19
paper [1] 27/14
parachute [1] 5/9
parcel [1] 3/23
Parkway [2] 28/15 28/17
part [6] 3/15 5/2 13/23 28/13
29/16 31/2
Participation [1] 3/13
parties [1] 21/18
party [1] 41/13
pass [1] 14/6
passed [1] 37/7
past [2] 10/21 26/25
paying [1] 8/15
pedestrian [4] 4/20 14/22
15/2 15/10
people [10] 5/9 6/15 6/19
17/2 17/9 19/17 20/3 20/10
23/15 26/21
per [1] 24/5
period [1] 31/13
permits [1] 19/5
permitting [1] 19/2
perspective [1] 10/13
phenomenal [1] 14/3
physician [1] 8/6
picking [1] 20/5
pickle [1] 30/19
place [5] 4/5 5/7 10/4 19/16

41/10
plan [10] 8/12 9/25 15/20
17/23 20/20 21/1 24/2 24/25
31/19 32/9
planning [7] 1/22 5/21 8/9
8/24 17/18 18/8 19/8
plans [1] 18/4
player [4] 5/23 32/17 33/1
33/7
plow [3] 28/6 28/10 29/4
plugs [1] 21/6
point [11] 6/17 9/2 9/23
14/11 17/7 17/10 19/1 22/21
23/18 33/11 37/12
Polaris [1] 8/22
possible [3] 13/7 21/6 31/10
possibly [1] 20/14
postpone [1] 9/24
potentially [2] 9/19 35/2
practicality [1] 18/25
predict [2] 26/1 26/1
premature [1] 7/12
prepared [2] 21/8 31/8
present [3] 1/18 1/21 33/17
previous [1] 28/23
previously [1] 8/1
prior [1] 33/19
private [2] 11/19 11/21
probably [8] 8/11 10/5 10/14
13/6 20/25 26/20 32/1 37/15
PROCEEDINGS [2] 1/15 2/1
process [11] 8/16 8/17 10/15
10/18 17/16 18/11 19/2 22/2
24/1 26/18 30/14
product [1] 20/6
Professional [2] 41/5 41/18
project [8] 4/12 5/17 7/23
8/2 8/25 10/16 18/20 35/20
projects [2] 5/21 32/15
properly [1] 17/14
properties [2] 4/23 14/24
property [4] 3/22 11/20
11/22 26/7
proposed [1] 38/15
proud [3] 5/2 5/5 5/5
provide [2] 24/18 36/18
public [12] 3/13 3/14 11/17
12/21 13/10 13/11 13/13
13/20 17/21 24/7 41/6 41/17
put [16] 5/17 6/19 8/3 10/1
10/9 11/13 13/24 14/14 14/16
15/16 17/8 22/3 22/19 24/25
32/16 35/23
putting [4] 14/10 17/11 22/7
23/6

Q
Quail [1] 15/25
qualified [1] 41/7
question [8] 14/9 14/17
15/11 15/19 23/25 28/3 28/13
37/24
questions [2] 6/10 7/14
quite [4] 10/11 10/15 10/17
12/6

R
Ravenna [1] 1/9
reach [1] 26/16
reaching [1] 8/13
read [1] 13/25
ready [4] 21/12 23/3 23/23
30/5
realigned [1] 9/8
realized [1] 9/7
really [1] 10/24
reconsider [1] 29/20
record [4] 3/10 3/12 4/3
37/23
redid [1] 9/8
regarding [2] 4/15 4/16
Registered [2] 41/5 41/18
REGULAR [1] 1/4
reiterate [1] 18/21
relative [1] 41/12
relocating [2] 8/15 35/2
remain [1] 13/20
remind [1] 29/12
remove [1] 11/12
removing [1] 8/14
replacement [1] 27/20
report [3] 3/4 3/5 3/7
Reporter [2] 41/6 41/18
reports [1] 24/18
Reppert [4] 1/19 2/13 38/5
39/21
required [1] 9/4
requirements [3] 15/12
15/15 15/16
residents [1] 15/24
respect [1] 29/24
review [5] 18/12 19/7 19/8
19/11 38/15
right [65]
road [11] 1/9 3/23 4/20 8/23
12/9 14/6 15/6 25/15 28/18
28/19 28/20
roads [1] 9/8
roadway [2] 9/13 9/16
roll [5] 2/6 37/14 37/19 37/20
39/15
Ron [2] 1/20 2/25
rules [1] 7/10
run [1] 12/17

S
safe [1] 15/4
safety [2] 9/19 9/22
said [7] 7/6 15/1 18/22 20/8
21/2 24/2 36/8
same [3] 5/23 12/17 32/25
say [12] 14/5 14/10 15/16
21/11 22/22 30/24 31/24 32/1
33/1 36/9 36/10 40/11
saying [4] 27/7 30/20 32/11
32/12
says [2] 3/18 30/5
Schindler [4] 1/19 2/11 38/7
39/19
scope [1] 21/17

S
season [1] 32/10
second [5] 36/24 36/25
39/11 39/12 40/9
section [3] 9/14 9/16 12/15
see [7] 9/15 10/25 12/11 15/5
22/15 30/18 38/10
seeing [1] 22/22
seem [1] 12/5
seen [1] 27/23
semantics [1] 24/8
sense [8] 5/8 6/16 6/21 6/24
7/6 16/8 19/19 22/22
September [1] 2/18
service [4] 24/11 24/13 28/6
28/19
session [3] 38/15 38/21 39/9
set [4] 12/5 18/3 19/9 30/9
sewers [1] 9/17
shall [2] 21/17 24/3
Sheetz [2] 16/11 28/14
short [3] 3/10 31/13 38/19
should [4] 22/3 25/19 34/2
34/11
side [3] 15/7 16/11 17/3
sidewalk [42]
sidewalks [19] 4/16 8/2 9/3
9/4 9/7 9/11 9/16 9/25 12/6
16/1 16/3 16/7 18/5 19/2
19/17 23/18 28/4 28/6 35/21
sight [1] 5/13
silly [1] 28/3
since [2] 4/24 5/14
sit [1] 20/11
site [1] 8/24
situation [2] 4/16 17/12
situations [1] 12/2
size [1] 21/17
slope [1] 12/19
small [1] 7/23
so [81]
some [10] 9/22 12/2 13/3
14/11 14/20 15/5 28/23 30/8
33/8 35/1
somebody [1] 34/12
something [7] 6/16 10/13
19/22 23/24 24/24 27/14 29/3
sometimes [1] 27/5
somewhere [2] 17/11 28/5
sorry [3] 4/8 12/20 40/17
sort [1] 13/3
south [4] 15/25 16/12 17/3
17/10
Spa [1] 4/14
spaced [1] 23/1
speak [1] 30/12
speaking [1] 10/21
specifically [2] 18/7 24/2
specifications [1] 24/6
specified [1] 41/11
spectacular [1] 6/6
spend [1] 5/4
split [1] 27/11
spoken [1] 35/24

sprinklers [1] 5/18
SS [1] 41/2
staff [1] 24/22
stakeholders [2] 31/17
36/18
stand [1] 4/2
start [3] 12/18 26/17 32/11
started [1] 9/6
state [4] 4/2 41/2 41/6 41/18
statements [1] 18/25
stay [1] 13/1
stenotype [1] 41/9
step [1] 9/20
still [3] 14/13 23/16 25/24
stipulations [1] 4/19
store [1] 11/22
storm [1] 9/17
street [5] 5/2 6/16 6/20
19/21 23/21
streets [3] 5/12 18/23 20/7
strongly [1] 11/5
studies [4] 15/1 15/9 21/5
26/8
study [2] 15/9 15/10
stuff [3] 8/20 9/9 33/16
stunning [2] 6/22 6/23
submit [1] 25/1
suggestions [2] 6/7 7/3
supposed [4] 13/9 15/22
15/22 38/22
sure [19] 5/10 5/20 7/1 7/8
7/21 10/20 10/22 16/8 17/5
17/13 25/16 26/19 29/2 30/23
35/16 37/21 37/23 39/16
39/18
surrounding [1] 4/21
Surveying [1] 8/22

T
table [11] 2/17 29/18 33/22
33/23 33/25 35/19 36/13
38/21 39/3 39/6 39/9
take [12] 7/15 8/3 8/7 8/17
10/17 12/2 17/9 21/4 22/7
26/11 32/3 37/13
taken [1] 41/10
takes [1] 31/1
talk [4] 23/13 24/9 34/14
34/17
talking [1] 22/8
team [5] 5/23 5/24 32/16
33/1 33/7
tell [5] 6/14 8/6 14/2 26/25
35/14
Terriaco [4] 1/20 2/9 38/3
39/23
terrified [1] 19/21
text [1] 38/15
than [6] 8/7 10/5 13/16
26/21 27/19 30/23
Thank [6] 3/8 4/10 33/12
37/8 37/9 38/9
Thanks [3] 14/4 37/10 38/12
that [131]
their [6] 5/3 17/2 20/10 25/5

28/11 30/14
them [13] 10/16 11/23 15/12
17/11 17/12 19/18 23/21 27/4
28/10 28/10 29/3 31/7 34/13
these [1] 5/12
they [26] 6/25 6/25 8/2 9/8
11/19 11/21 11/23 13/4 17/4
17/6 17/20 17/22 18/5 20/11
20/11 22/18 22/20 23/17
23/18 24/16 24/17 24/18 25/5
28/24 29/2 29/18
they'd [2] 23/1 30/23
they're [9] 5/10 5/22 11/17
13/9 15/6 23/3 28/9 29/4
30/13
thing [8] 16/1 17/2 17/8
19/22 20/9 20/12 23/12 34/7
things [4] 12/4 16/9 21/7
22/11
think [40] 5/15 6/22 6/23
7/12 7/12 7/17 7/19 8/17 9/18
14/3 16/6 17/7 17/12 18/2
18/10 19/15 20/15 20/19
20/24 21/3 21/14 21/24 21/24
22/3 22/12 23/13 25/17 26/20
27/5 31/2 31/16 32/18 32/22
32/24 32/25 33/4 33/5 33/6
33/7 34/1
thought [2] 17/13 17/14
through [11] 9/1 10/15
10/18 14/1 17/13 17/17 17/17
18/5 18/11 19/10 30/24
throwing [1] 15/18
time [18] 4/24 9/2 9/24
10/18 11/6 15/16 18/4 21/4
21/10 21/22 22/1 27/8 27/10
31/14 31/16 32/9 33/8 41/10
timeline [2] 30/15 30/21
times [2] 27/25 33/4
timing [5] 5/15 21/3 29/24
30/1 30/1
today [1] 32/24
together [5] 13/25 14/16
22/4 22/19 25/1
too [9] 15/5 20/17 20/20
23/20 30/12 31/15 32/10
32/23 33/8
towards [1] 12/9
Town [1] 1/8
township [9] 1/2 2/3 3/21
4/5 15/20 24/4 28/4 28/5
28/18
trades [1] 8/20
traffic [2] 15/9 26/7
transcript [2] 1/15 41/9
true [1] 41/8
try [2] 16/8 36/20
trying [5] 32/23 32/25 33/7
35/2 35/3
Tuesday [1] 2/4
two [6] 10/1 16/21 16/22
27/11 27/12 32/14
typically [4] 9/11 9/15 13/9
15/6

U
ugly [1] 6/4
Uh [2] 33/18 34/16
Uh-huh [2] 33/18 34/16
ultimate [1] 16/10
underground [1] 8/11
understand [3] 27/10 27/15
27/18
understanding [2] 26/5
31/22
understands [2] 22/4 22/6
unless [3] 5/9 13/3 13/21
until [9] 5/16 5/17 19/14
19/15 29/18 35/21 36/13
38/21 39/10
up [16] 3/25 4/2 9/25 11/19
11/21 11/23 12/5 12/10 15/6
16/19 17/11 19/9 20/5 22/16
28/24 30/22
upon [1] 30/10
urge [3] 11/5 30/11 30/15
us [8] 14/18 21/21 24/17
24/18 24/21 29/25 30/19
36/19
use [1] 30/9
uses [1] 38/18
usually [3] 9/18 33/15 33/18

V
varies [2] 19/3 19/9
very [5] 5/2 9/9 14/7 14/7
37/8
vote [3] 29/15 37/14 37/22

W
waited [2] 5/16 5/17
walk [6] 6/19 16/24 17/5
19/18 20/13 23/18
walkable [1] 18/23
walking [3] 19/21 20/7 23/21
want [17] 5/19 6/2 6/3 6/18
14/2 17/8 17/13 18/21 19/22
21/15 23/14 25/14 28/8 30/4
30/18 37/22 39/14
was [14] 4/20 9/2 9/3 9/3
12/5 13/3 13/21 17/23 18/3
23/20 24/2 31/24 34/21 40/20
washed [1] 33/3
wasn't [1] 13/23
water [6] 8/15 10/25 11/14
26/17 34/19 35/25
waters [1] 30/22
way [14] 7/25 8/11 9/12
11/18 13/2 13/10 13/12 13/14
13/21 14/2 17/19 17/21 18/2
19/3
ways [1] 35/5
we [57]
we'll [3] 7/11 33/17 38/10
we're [18] 2/16 7/9 10/9
11/6 15/3 15/12 18/19 19/14
21/11 22/22 25/17 30/5 32/23
32/25 33/7 33/24 34/13 40/10
we've [3] 5/23 16/23 31/22

W

week [1] 33/19
weeks [2] 16/21 16/22
well [9] 6/23 14/7 21/1 22/14
 23/17 28/12 28/25 30/14 31/3
went [1] 5/6
were [3] 8/12 9/4 41/9
what [37] 5/4 6/25 7/21 11/1
 11/6 15/20 17/10 17/15 21/7
 21/15 22/5 22/6 22/8 22/14
 22/16 26/6 26/11 26/18 26/21
 28/8 29/17 29/21 30/4 30/13
 30/17 32/3 32/8 32/20 32/23
 33/2 34/2 34/3 34/12 34/21
 34/25 36/8 37/24
what's [4] 4/7 22/22 25/18
 25/20
whatever [3] 7/11 23/1 31/1
when [24] 4/18 4/19 6/3
 6/11 6/12 6/14 6/15 6/16 9/6
 9/7 9/7 9/15 10/8 13/24 14/14
 16/20 17/22 18/4 21/10 23/16
 24/9 28/24 30/12 34/4
where [25] 5/5 5/10 6/20 7/2
 8/10 9/2 9/10 9/13 10/20
 10/22 11/16 12/15 12/18
 12/19 13/4 13/12 16/5 16/11
 17/6 19/16 20/14 20/17 22/18
 25/21 35/23
Whereupon [1] 40/20
which [6] 2/4 4/20 10/4
 17/20 21/17 41/9
Whoever [1] 8/2
why [6] 6/5 7/9 12/9 13/18
 39/17 39/18
Wiertel [4] 1/20 2/7 38/1
 39/25
will [3] 4/17 14/5 26/25
willing [2] 16/7 30/24
Willoughby [1] 8/23
wind [4] 11/19 11/21 11/23
 17/11
within [1] 7/8
won't [1] 11/8
words [1] 36/9
work [7] 8/24 10/11 15/23
 31/15 38/14 38/21 39/9
working [3] 8/19 19/3 24/10
would [70]
write [1] 34/12

Y

year [4] 2/5 4/15 7/8 16/16
years [2] 4/23 6/3
yes [17] 2/8 2/10 2/12 2/14
 12/25 14/12 20/19 29/11
 37/20 38/2 38/4 38/6 38/8
 39/20 39/22 39/24 40/1
yet [3] 16/23 17/5 17/22
you [134]
you'd [1] 29/17
you'll [3] 12/11 14/14 32/7
you're [16] 5/9 14/10 19/25
 20/15 22/6 22/8 23/16 25/24

26/6 32/8 32/11 32/12 33/21
 34/14 34/17 35/18
you've [1] 33/2
your [16] 4/2 4/2 4/7 8/19
 11/1 16/20 19/7 21/24 24/25
 31/2 31/6 33/9 33/9 36/1 36/3
 36/5
yourself [1] 30/18

Z

zoning [11] 1/2 1/18 1/22
 1/23 2/3 3/4 3/21 25/8 29/13
 30/19 38/15