

CONCORD TOWNSHIP ZONING COMMISSION MEETING  
LAKE COUNTY, OHIO  
REGULAR MEETING

Concord Town Hall  
7229 Ravenna Road  
Concord, Ohio 44077

Tuesday, October 1, 2024  
7:00 p.m.

TRANSCRIPT OF PROCEEDINGS

Zoning Commission Board Members Present:

Andrew Lingenfelter, Chairman  
Rich Iafelice, Member  
Rich Peterson, Member  
Hiram Reppert, Member  
Frank Schindler, Member

Also Present:

Heather Freeman, Planning & Zoning  
Director/Zoning Inspector  
Bridey Matheney, Esq., Legal Counsel

<p style="text-align: right;">Page 2</p> <p>1 THE CHAIR: Good evening.  2 I'd like to call this Concord Township Zoning  3 Commission hearing or meeting into order  4 today. We have a public hearing first on the  5 agenda and we would like to get started here.  6 So Heather, if you could please call the roll.  7 MS. FREEMAN: Mr. Iafelice.  8 MR. IAFELICE: Here.  9 MS. FREEMAN: Mr. Peterson.  10 MR. PETERSON: Here.  11 MS. FREEMAN: Mr. Reppert.  12 MR. REPPERT: Here.  13 MS. FREEMAN: Mr. Schindler.  14 MR. SCHINDLER: Here.  15 MS. FREEMAN: Mr. Lingenfelter.  16 MR. LINGENFELTER: Here.  17 Okay. The first item on the  18 agenda is a public hearing for the following  19 zoning text amendments to the Concord Township  20 Zoning Resolution, as initiated by motion of  21 the Zoning Commission. The first item is  22 Amendment #1: Revise Section 5.02(A)  23 definitions as follows: Revise the definition  24 of accessory building or use, and use.  25 Provide definition for new term breezeway.</p>	<p style="text-align: right;">Page 4</p> <p>1 a group as one full decision?  2 MS. MATHENEY: However you  3 want to do it. I think the vote which you do,  4 the vote which would be in the actual meeting  5 part, not in the public hearing, you can  6 separate that out and make it just cleaner to  7 do it that way.  8 THE CHAIR: That's what I  9 was thinking, approaching each amendment  10 individually. That was my thought.  11 MS. MATHENEY: Sure.  12 THE CHAIR: So, Heather, if  13 you could, would you mind giving us a little  14 background on what this public hearing is all  15 about, some information?  16 MS. FREEMAN: Yeah. Just  17 to give a little background, I know the Zoning  18 Commission has held several work sessions this  19 year to discuss this topic. Initially, an  20 issue was raised by a resident and a concern  21 regarding rather large garage additions to  22 smaller homes, and we started to look at what  23 were our size limitations when it comes to  24 residential properties. Is there any  25 restrictions on size and attached accessory</p>
<p style="text-align: right;">Page 3</p> <p>1 Amendment #2 would be to  2 revise Section 15.02 Use Regulations, to  3 clarify that the permitted and conditional  4 uses are principal uses in both the text and  5 Table 15.02-1.  6 Amendment #3: Revise Section  7 15.03(A) General requirements for accessory  8 buildings as follows: Add provision that  9 accessory buildings shall not exceed the  10 height of the principal building on the lot.  11 Add provision limiting lots greater than two  12 acres to have no more than two detached  13 accessory buildings with a maximum combined  14 gross floor area of 1,532 square feet. Add  15 provision that any attached or detached  16 accessory building shall not exceed the square  17 footage of the living area on the ground level  18 of the principal building on the lot, but also  19 to not exceed the maximum square footages  20 permitted for detached accessory buildings.  21 Counselor, just as a matter of  22 note, would it be better since there are three  23 different amendments that we approach each one  24 and then vote on each amendment as we complete  25 that particular one, or can we do them all as</p>	<p style="text-align: right;">Page 5</p> <p>1 buildings, i.e. a garage. How does that  2 relate to the main use of the property, which  3 is the dwelling in most of ours cases in  4 residential properties,  5 So after several months of  6 looking at what we have in the books and what  7 we can do to maybe try to keep the scale of  8 garages more in line with the primary use of  9 the property, this is kind of where we are at,  10 what we are proposing tonight, a couple of  11 modifications to some definitions, and then  12 also some new regulations which you stated  13 already.  14 THE CHAIR: With that said,  15 what I'd like to do is I'd like to formally  16 open this public hearing. And first, we will  17 start with public comments on this. And what  18 I would ask is if anybody wants to if you come  19 up to the podium and you'd like to speak and  20 address the board, first of all, I'd like you  21 to make sure you direct your comments to the  22 board. I don't want any comments to the  23 audience or anywhere else. Just make sure you  24 address us.  25 We do have three separate</p>

<p style="text-align: right;">Page 6</p> <p>1 amendments, so if you want to speak about a  2 specific issue that's important to you or you  3 have comments about, make sure you let us know  4 which amendment you are talking to. We have  5 three different ones. So that way we can  6 follow along and understand what your thoughts  7 are with that regard. And we'll start first  8 with people in the room with people that are  9 in favor of this zoning resolution amendments.  10 And so I will start on my left side. It will  11 be my left, your right to make these comments.  12 Is there anybody that would like to speak  13 that's in favor of these resolutions?  14 MR. GILLESPIE: Can I ask  15 just a question? I'm so sorry. What if you  16 don't know if you're in favor of it or not?  17 Because I don't understand it. I came up here  18 to understand what we are resolving it for and  19 I don't know that I'm for or against it. I  20 apologize. Dan Gillespie.  21 THE CHAIR: Come on up to  22 the podium for me, sir.  23 MR. GILLESPIE: I don't  24 know how to address that.  25 THE CHAIR: That's okay.</p>	<p style="text-align: right;">Page 8</p> <p>1 We want to hear what your thoughts are. If  2 there is a point in time that you catch on to  3 what's going on and you feel like now you have  4 an opinion you'd like to offer, we will make  5 time and accommodate your ability to come on  6 up and address the board. Absolutely, no  7 problem. So just sit back, relax, enjoy and  8 listen, and if you have any questions in the  9 process, you can certainly come up and address  10 the board.  11 So in the first row are you in  12 favor of these amendments in the first row,  13 the first row where somebody is sitting? So  14 if you could come up please and state your  15 full name for the record and then your  16 address.  17 MR. MELDRUM: Chris Meldrum;  18 11159 Prouty Road, Concord. I have some  19 familiarity with the draft of these  20 resolutions. And as you're aware, it is the  21 one that has brought some of this problem with  22 the large garage sheds to the board's  23 attention. I'm really very appreciative that  24 the board has grasped onto this and attacked  25 it very diligently. As far as I'm concerned,</p>
<p style="text-align: right;">Page 7</p> <p>1 State your full name and address please.  2 MR. GILLESPIE: Dan  3 Gillespie. 11239 Prouty Road.  4 THE CHAIR: Okay. Go  5 ahead.  6 MR. GILLESPIE: I've been a  7 resident for over 30 years. And so I read  8 through this and I have questions. I don't  9 know if I'm for or against it. I understand  10 based on what you said you are trying to solve  11 for a problem which sounds like these large  12 garages being built on smaller homes. So I'm  13 really just wanting to understand like how big  14 of an issue is this? How do these proposals  15 propose changes in language address the issue?  16 Are we talking about an isolated event? Is  17 there data that suggests this is running  18 rampant throughout Concord Township? So,  19 again, just trying to better understand what  20 we are solving for and how this is going to  21 solve it for.  22 THE CHAIR: Okay. All  23 right. Well, my recommendation is if you want  24 to participate this evening, you are certainly  25 welcome. Your input is welcome by the board.</p>	<p style="text-align: right;">Page 9</p> <p>1 I don't have -- it seems like these  2 regulations do address the kind of issue I saw  3 on the parcel next to my house and potentially  4 could address some issues on other parcels in  5 the future. So, you know, with that, in  6 general I'm certainly very much in favor of  7 these revised regulations being, you know,  8 agreed to and put into the zoning regs.  9 I know Dan. Dan is a neighbor  10 of mine. And Dan, obviously, has some  11 questions. You know that. So there may be  12 some things, a lot of things that have been  13 changed on these three different amendments,  14 so I'm not in a position to address those or  15 critique them. As far as I'm concerned, if  16 those are what the board wants to do, I'm  17 certainly all in favor of it.  18 THE CHAIR: Super. Thank  19 you very much. I appreciate your comments.  20 All right. The next row behind. Anybody else  21 that would like to come up on the next row in  22 favor of the amendment? No, okay. The last  23 row. No, okay. Let's move over to this side  24 of the room. Sir, would you be interested in  25 speaking in favor?</p>

<p style="text-align: right;">Page 10</p> <p>1 A VOICE: No.</p> <p>2 MR. LINGENFELTER: So we</p> <p>3 have everybody who has spoken in favor. Now</p> <p>4 what I'd like to do is hear anybody that's in</p> <p>5 opposition to these amendments, okay. So I</p> <p>6 would like to hear any comments of anybody who</p> <p>7 might be in opposition. Anybody on this side</p> <p>8 of the room that wants to speak on opposition?</p> <p>9 Come on up.</p> <p>10 A VOICE: I might be in</p> <p>11 opposition.</p> <p>12 A VOICE: He's not sure yet.</p> <p>13 He's still trying to figure out whether he's</p> <p>14 for or against it.</p> <p>15 THE CHAIR: Please state</p> <p>16 your full name and address for the record.</p> <p>17 MR. CAIMI: Carmen Caimi.</p> <p>18 I'm at 12014 Girdled Road.</p> <p>19 THE CHAIR: Thank you.</p> <p>20 MR. CAIMI: So the size</p> <p>21 really hasn't changed much from what the old</p> <p>22 resolution was from what I see, the 132 square</p> <p>23 feet maximum. Is that not what it always was</p> <p>24 or very close to that amount? I'm not sure</p> <p>25 that that's clarified that the size is going</p>	<p style="text-align: right;">Page 12</p> <p>1 it that it has to look more like a house.</p> <p>2 Like they have to match the dwelling somewhat.</p> <p>3 I feel that would probably keep a lot of</p> <p>4 people from having neighbors that are</p> <p>5 disgruntled with what somebody has built as</p> <p>6 far as an accessory building.</p> <p>7 So size-wise, I'm not really</p> <p>8 in disagreement with the size. It shouldn't</p> <p>9 be gigantic. There is some around that,</p> <p>10 obviously, we see that are really big and are</p> <p>11 housing multiple motor homes. A lot of people</p> <p>12 around here have motor homes and trailers and</p> <p>13 recreational vehicles that they need to house,</p> <p>14 and I think that's why they have an accessory</p> <p>15 building.</p> <p>16 So with that being said, I am</p> <p>17 I guess in favor in a way for the amendment,</p> <p>18 but not to make it to where someone that has a</p> <p>19 use can't build something to take care of</p> <p>20 their use. You know, if they have a farm, or</p> <p>21 it's not really a farm -- if it's a farm, it's</p> <p>22 an agriculture building. I'm assuming that</p> <p>23 this wouldn't even pertain because it's an</p> <p>24 agricultural building, is that correct, as far</p> <p>25 as zoning? You can't regulate an agricultural</p>
<p style="text-align: right;">Page 11</p> <p>1 from one, you know, like 2,000 square feet to</p> <p>2 a certain other size. The only other thing it</p> <p>3 says is that it can't exceed the size of the</p> <p>4 primary dwelling first floor, which I don't</p> <p>5 think it was worded that way before which I'd</p> <p>6 like to see some clarification of that.</p> <p>7 I have an accessory building</p> <p>8 that's pretty much the max, okay? And at the</p> <p>9 time I built it, I was told I could build</p> <p>10 another one to that size, but I couldn't build</p> <p>11 two, all right? Part of my issue with the</p> <p>12 accessory building is Concord Township is not</p> <p>13 only a veteran community, but it's also a</p> <p>14 community where people tend to work from home</p> <p>15 a little bit, or they have horses, they have</p> <p>16 animals, they have large pieces of property</p> <p>17 and equipment, and they need a building to</p> <p>18 store their stuff inside so it's not outside.</p> <p>19 So I know we see a lot of</p> <p>20 buildings that are really offensive. There</p> <p>21 are some around that look like warehouses. I</p> <p>22 agree. I feel that maybe we need to put more</p> <p>23 of a standard in that limits the look of the</p> <p>24 building so it doesn't look like a machine</p> <p>25 shed type and maybe even put aesthetics into</p>	<p style="text-align: right;">Page 13</p> <p>1 building as part of zoning, is that correct?</p> <p>2 MS. FREEMAN: You need to</p> <p>3 ask the chair.</p> <p>4 MR. CAIMI: Oh, I'm sorry.</p> <p>5 THE CHAIR: Heather, do you</p> <p>6 know?</p> <p>7 MS. FREEMAN: It's not a</p> <p>8 simple answer. We can regulate agricultural</p> <p>9 uses in certain circumstances.</p> <p>10 THE CHAIR: Right.</p> <p>11 MR. CAIMI: Does the State</p> <p>12 of Ohio not have an agricultural regulation</p> <p>13 that you cannot regulate an agricultural</p> <p>14 building?</p> <p>15 MS. FREEMAN: The township</p> <p>16 has limited authority to regulate</p> <p>17 agricultural uses. So we have some authority.</p> <p>18 So if your lot is less than five acres and</p> <p>19 it's in the subdivision or if you're in an</p> <p>20 area where there are 15 or more lots split</p> <p>21 under certain sections of the Ohio Revised</p> <p>22 Code we can regulate that, but if the lot is</p> <p>23 over five acres we do not have the authority</p> <p>24 to regulate that.</p> <p>25 MR. CAIMI: So an</p>

<p style="text-align: right;">Page 14</p> <p>1 agricultural building on a lot over five acres  2 would not pertain at all to this as long as  3 it's an agricultural building. And some  4 people build a building and they say it's  5 agricultural and it's not. I understand there  6 are issues with that. But I'd just like to  7 see that more clarified so that people don't,  8 you know, like think that they are never going  9 to be able to build a barn if they buy five  10 acres in Concord Township.  11 One of the things that doesn't  12 pertain to this at all is that we probably  13 need to have bigger lots in Concord and you  14 might eliminate this whole problem, but that's  15 a whole other issue. So I guess that's the  16 end of my speech.  17 THE CHAIR: Yes, we  18 appreciate your comments. Thank you very  19 much. Sir, on this side. Are you opposed?  20 A VOICE: I have no  21 comment.  22 THE CHAIR: All right.  23 MR. TRESGER: Can I go up?  24 THE CHAIR: Absolutely.  25 Please state your full name and address for</p>	<p style="text-align: right;">Page 16</p> <p>1 roof on it that's really low. I want to put a  2 new roof on it. I thought I'd put a new roof,  3 raise it up, make it deeper so I can use it.  4 So the square footage-wise, I get with my case  5 it's a very large difference. I plan on  6 adding on in five years and all of that other  7 stuff. So that's my concern for me  8 personally.  9 And then for the community I  10 do agree with the aesthetics of the building  11 could be adjusted. And the square footage of  12 the building on Prouty Road versus his house,  13 you know, looks like a landing strip the way  14 it is, and I don't agree with that. The way I  15 want to do mine would look more like a house.  16 So because I know I probably have more square  17 footage in my garage than my house, it  18 wouldn't look like it from the outside. So  19 that's where I'm going to run into a huge  20 issue because of this, but I think it would  21 make the community look better, make  22 everything that's around there look better. I  23 don't think my neighbors would disagree that  24 what my like garage looks like now is an  25 eyesore.</p>
<p style="text-align: right;">Page 15</p> <p>1 the record.  2 MR. TRESGER: Jordan  3 Tresger. T-r-e-s-g-e-r. 11261 Prouty Road.  4 I'm not completely against all of this because  5 of the warehouse situation. Pretty much, you  6 know, you build a warehouse on your house.  7 But my only issue is I guess I knew about the  8 loophole and stuff. I just purchased this  9 house, you know, on Prouty Road. It's  10 overall 1,300 square foot. The floor space is  11 around 800. Well, my garage now that's  12 attached, it has a lower part and an upper  13 part equaling around 1,300 square feet  14 already, which is already the size of my  15 house, but my plan was to add onto the back so  16 I'm able to pull my own personal vehicle in.  17 I have a long bed dually, so it's long, and be  18 able to work on it. Put a lift in there  19 maybe. It's all personal items. I have a  20 plow truck that I use.  21 So that's where it's like with  22 this coming forward, like I don't know if I'm  23 grandfathered in because I purchased it on the  24 old stuff, but that purchase was made in  25 attempt of expanding my garage. I have a flat</p>	<p style="text-align: right;">Page 17</p> <p>1 So that's just where I think  2 the literature or maybe something can be  3 changed so you don't have a massive 40 by 60  4 pole barn attached to your house and then just  5 call it a day because it's attached. So I  6 agree with it, but just I don't know that it  7 could be changed a little bit essentially.  8 THE CHAIR: How many acres  9 do you have?  10 MR. TRESGER: Four acres.  11 THE CHAIR: You have four,  12 okay.  13 MR. TRESGER: And that's  14 another thing. I'm two doors down from my  15 in-law, he's my father-in-law, and he connects  16 in the back. He has horses and down the road  17 I want to get a little barn. My fiancée wants  18 two cows and stuff like that. So I don't know  19 if that would hinder it because I am under  20 five acres if that's going to be an issue if  21 we tie into using his pasture, you know, even  22 though it's a building on my property. So  23 that's just all stuff that could be an issue  24 for me down the road. That's why I just  25 wanted to come up here and put my two cents in</p>

<p style="text-align: right;">Page 18</p> <p>1 at least.</p> <p>2 THE CHAIR: And I think</p> <p>3 that you bring up some interesting points, and</p> <p>4 I think that it's wise as a resident of the</p> <p>5 township that before you put a shovel in the</p> <p>6 ground or before you start to pour concrete or</p> <p>7 start putting up structures is to just give</p> <p>8 Heather a call and make an appointment and</p> <p>9 come in and talk to her and tell her about</p> <p>10 what you are thinking about doing and Heather</p> <p>11 will be able to tell you if you are within the</p> <p>12 guidelines of the zoning resolution or if you</p> <p>13 need to make some adjustments. She can</p> <p>14 certainly kind of steer you in the right</p> <p>15 direction of what you can or can't do. Then</p> <p>16 you have the option to -- at least you'll</p> <p>17 know. The worst thing that can happen is you</p> <p>18 start and then we run into problems where it's</p> <p>19 a violation and then that could cost you money</p> <p>20 that you don't need to spend. So the best</p> <p>21 thing is always to check first. And the folks</p> <p>22 here at the townhall are always available. So</p> <p>23 I'd give her a call and talk to her and set up</p> <p>24 an appointment and show her what you're</p> <p>25 looking at doing.</p>	<p style="text-align: right;">Page 20</p> <p>1 specific kind of building, an accessory</p> <p>2 building? Is there a definition of what is</p> <p>3 considered an accessory building or is it any</p> <p>4 building?</p> <p>5 THE CHAIR: No. We have</p> <p>6 definitions for everything, so yeah, there is</p> <p>7 a different definition for accessory building.</p> <p>8 It's in the zoning text.</p> <p>9 MR. GILLESPIE: It says</p> <p>10 that the two would be maxed out at 1,532</p> <p>11 square feet, the two combined. How did you</p> <p>12 arrive at that number? It seems like an odd</p> <p>13 number just randomly picked out of the air.</p> <p>14 THE CHAIR: Oh, believe me,</p> <p>15 we had a lot of conversations about that. It</p> <p>16 was a lot of discussion on the square footage</p> <p>17 and what would be fair, what would be</p> <p>18 reasonable. We try to come up with a number</p> <p>19 that, you know, was either something that was</p> <p>20 already existing or something that would give</p> <p>21 us a number in between. And, believe me, we</p> <p>22 went through many discussions on what those</p> <p>23 numbers would look like and that's what we</p> <p>24 came up with.</p> <p>25 MR. GILLESPIE: Okay. So I</p>
<p style="text-align: right;">Page 19</p> <p>1 MR. TRESGER: Okay.</p> <p>2 THE CHAIR: Make sure you</p> <p>3 get all the right permits and everything and</p> <p>4 then there is no surprises, right.</p> <p>5 MR. TRESGER: Yeah.</p> <p>6 THE CHAIR: That's probably</p> <p>7 the best way to approach it.</p> <p>8 MR. TRESGER: Okay.</p> <p>9 THE CHAIR: Thank you.</p> <p>10 Thank you very much. I appreciate your</p> <p>11 comments. Anybody else have any comments?</p> <p>12 Please state your name and address for the</p> <p>13 record again.</p> <p>14 MR. GILLESPIE: Dan</p> <p>15 Gillespie. 11239 Prouty Road. So I will say</p> <p>16 I'm in agreement with commercial buildings and</p> <p>17 big warehouses and all of that. I really like</p> <p>18 the comment about maybe instead of restricting</p> <p>19 the size restrict aesthetics; how the building</p> <p>20 looks, how it blends in. Because I think</p> <p>21 that's more important than the exact size of</p> <p>22 it.</p> <p>23 Also, the two buildings,</p> <p>24 accessory buildings, is an accessory building</p> <p>25 different than any other building? Is it a</p>	<p style="text-align: right;">Page 21</p> <p>1 will trust you have done your homework on</p> <p>2 that. It just seemed random to me. So there</p> <p>3 is three restrictions: The height of the</p> <p>4 building, the number of buildings, and the</p> <p>5 square footage of the building that's being</p> <p>6 addressed through here.</p> <p>7 The square footage is being</p> <p>8 addressed two-fold. One, by the number of</p> <p>9 external buildings and the maximum combined</p> <p>10 square footage, but the other one cannot</p> <p>11 exceed the square footage of the living area</p> <p>12 on the ground level.</p> <p>13 So, to clarify, if I had a</p> <p>14 house that had a thousand square feet living</p> <p>15 area on the ground level and I wanted to put</p> <p>16 up a 30 by 40 barn, I would not be allowed to</p> <p>17 because it exceeds a thousand square feet. Is</p> <p>18 that correct?</p> <p>19 MR. SCHINDLER: Yes.</p> <p>20 MR. GILLESPIE: And even if</p> <p>21 I have six acres, which I'm just under six</p> <p>22 acres. Okay.</p> <p>23 My issue is I have lived here</p> <p>24 for 30 years, moved on Prouty Road 30 years</p> <p>25 ago. It was a shack of a house, beautiful</p>

<p style="text-align: right;">Page 22</p> <p>1 piece of property, six acres. We have less  2 than a thousand square feet. What I did was I  3 built a pole barn and had horses and I raised  4 my kids and we went to 4H. His future wife,  5 he's going to be my son-in-law, she won the  6 grand champion in 4H by raising animals on the  7 property. I since put up another 30 by 40  8 barn after I retired to house my tractor, my  9 pickup truck that I inherited when my father  10 passed away, along with some other minor  11 equipment. For 30 years I have lived a great  12 life here. It's been wonderful. It's a  13 semi-rural community. You are close to the  14 city. You are able to do what you want in  15 your yard with your animals, horses, dogs. We  16 had pigs at one point for 4H. It's been  17 wonderful.</p> <p>18 Under what you are proposing  19 here, young people moving in Concord will not  20 be able to do what I did and live the type of  21 lifestyle that I have lived there and have  22 enjoyed. So while I'm not completely opposed,  23 I think this is excessive in what you are  24 requiring people to do, especially people with  25 three, four, five, six acres. So I don't want</p>	<p style="text-align: right;">Page 24</p> <p>1 development that should be a fair size.  2 Somebody living on six acres with horses and  3 pigs, that's not significant at all in my  4 opinion.</p> <p>5 THE CHAIR: Well, I think  6 therein lies the issue with the agricultural  7 use, if you are agricultural use versus  8 recreational use. You know, that's where  9 things change it. And it depends on the  10 zoning district that you are in because these  11 are specified towards certain zoning  12 districts, okay. So if you are in one of  13 those zoning districts that falls within those  14 parameters, then yeah, there is a limitation,  15 but as far as the other things I would humbly  16 disagree. The 1,500 square feet we thought  17 was a very generous amount of square footage  18 to be able to utilize for an accessory  19 building, or you can have up to two accessory  20 buildings, right, as long as they don't exceed  21 the 1,500 square feet. I mean, a 750 square  22 foot building is pretty substantial.</p> <p>23 MR. GILLESPIE: Well, I'd  24 like to see how you can fit all my stuff in a  25 building that size. So I guess we agree to</p>
<p style="text-align: right;">Page 23</p> <p>1 the big factory next to me, I don't want the  2 big warehouse, I don't want the eyesores, but  3 I think this carries it way too far in my  4 opinion.</p> <p>5 THE CHAIR: I mean, if you  6 look at a standard shed you put on your house,  7 on your lot, 10 by 12 let's call it. That's  8 pretty common, right? That's 120 square feet,  9 right?</p> <p>10 MR. GILLESPIE: Yeah.</p> <p>11 THE CHAIR: Am I wrong, 120  12 square feet? That's a 10 by 12 storage area.  13 Pretty decent size. We are talking 1,500  14 square feet, so that's 15 times that size.  15 That's a tremendous amount. So you are  16 talking you could put two buildings 750 square  17 feet in that space right now.</p> <p>18 MR. GILLESPIE: I feel like  19 I need more space right now and I have two 30  20 by 40 buildings on my property so I think it  21 depends on your lifestyle.</p> <p>22 THE CHAIR: 30 by 40 is a  23 pretty substantial size building.</p> <p>24 MR. GILLESPIE: For  25 somebody living in a residential community</p>	<p style="text-align: right;">Page 25</p> <p>1 disagree. I wanted to give my input. I would  2 like to see this remain semi-rural where a  3 family can move in and live the type of  4 lifestyle I did and they can't do it now with  5 these restrictions still in place. I don't  6 have any other comments.</p> <p>7 THE CHAIR: Super. Thank  8 you very much. I appreciate your input. Any  9 other comments from the audience either for or  10 against the amendments?</p> <p>11 MR. CAIMI: I'd like to  12 make one more comment. I'd like to clarify  13 something.</p> <p>14 THE CHAIR: Come on up.</p> <p>15 MR. CAIMI: I am Carmen  16 Caimi. 12014 Girdled Road, Concord. So just  17 to clarify, you are saying a 1,532 square foot  18 building, but if you have a home like mine,  19 which is a retirement home, it's a first floor  20 building, unlike his. He doesn't plan on  21 having three more kids, nor do I. I have  22 three bedrooms but of them are two upstairs.  23 I have a small house, okay. It's an 1,800  24 square foot house, but that's combined square  25 footage, okay. People are buying homes with</p>

<p style="text-align: right;">Page 26</p> <p>1 very small first floors because we are all  2 getting older and we don't want two stories.  3 We don't want Summerwood where there is 3,000  4 square foot houses, okay. And sure, they can  5 get by with a little shed because all they're  6 putting in it is their riding lawnmower, a  7 couple bicycles and some lawn furniture maybe.  8 But when you have a property and you also are,  9 let's say retired, and you only have a small  10 home and don't intend to exceed that, your  11 building size can only be -- I'm going to say  12 the first floor of my floor is 900 square  13 feet. I could only build a building 900  14 square foot now with your new zoning  15 amendment. That's wrong, okay. That is  16 completely as far I'm concerned wrong with the  17 way Concord was set out to be. It wasn't set  18 out to be all these developments with houses  19 stacked on top of each other split high, some  20 probably three levels, okay, and then they  21 don't even have room for a 10 by 10 shed. So  22 that's a whole different animal, okay. I  23 think this needs to be clarified a little more  24 into being an amendment to change our zoning  25 into acreage, and it should be the total</p>	<p style="text-align: right;">Page 28</p> <p>1 something they want to say.  2 At this point, then, we will  3 close the public portion of this hearing and  4 we will move to discussion on the board. We  5 have had some comments this evening both for  6 and against and some questions. I think some  7 valid questions have been brought up in this  8 process. So Frank, any comments?  9 MR. SCHINDLER:  10 Mr. Chairman, you know one of the things we  11 have in Concord Township is the Zoning Board  12 of Appeals, which if an issue comes up, of  13 course, we have a means of going to address  14 your issues, which is the Zoning Board of  15 Appeals. So when it comes to that, the only  16 time you would really get into any problems is  17 if you had neighbors that would object to it.  18 If you go to your neighbors when you appeal  19 and then the board goes around asking all of  20 your neighbors if they have an objection to  21 whatever you want to do to your property.  22 That's an alternative that you have is to  23 address issues like you are saying.  24 Being a community that's as  25 large as ours, you have to understand that we</p>
<p style="text-align: right;">Page 27</p> <p>1 square footage of a home because the trend  2 really is to build more ground level homes  3 that are not that big. It's something  4 everybody needs okay. Everybody as they get  5 older, they don't want a 3,000 square foot  6 house. So I just wanted to clarify that and  7 let you guys think that maybe we should look  8 again at revising the amendment to say that  9 it's combined square footage because you're  10 really penalizing somebody because of the  11 style of their house. If it's a ranch house  12 and it's 2,200 square feet on the first floor,  13 that's not a problem. But if it's a two-story  14 home with a little loft like I have, then you  15 are really hampering someone. Why should they  16 be hampered if they have 10 acres and a small  17 home? That doesn't make any sense. It be  18 should be more of an acreage issue than a  19 square footage of the house issue as far as  20 I'm concerned and I would like you guys to  21 look at that, okay? Thank you.  22 THE CHAIR: Super. Thank  23 you. Any other comments from the audience? I  24 don't want to cut anybody off. I want to make  25 sure everybody has their say if they have</p>	<p style="text-align: right;">Page 29</p> <p>1 are growing and a lot of the people moving in  2 are buying smaller lots, smaller houses and  3 stuff. We feel we have addressed a lot of  4 these issues with the amendments we have put  5 in here to upgrade that.  6 When you talk about styles of  7 the homes, Concord does not have an  8 Architectural Review Board so we can't dictate  9 to anybody what their property or home looks  10 like. So we would hope that they would  11 address it to look aesthetically to your main  12 dwelling, your home, but a lot of people  13 don't. So we try to do what we best can do as  14 far as zoning to address issues like that, you  15 know. And that's what I think we have tried  16 to accomplish with some of the things that we  17 made the changes to here. That's my comment.  18 THE CHAIR: Thanks, Frank.  19 MR. SCHINDLER: You are  20 welcome.  21 THE CHAIR: Hiram, any  22 comments?  23 MR. REPPERT: Nothing to  24 add, Mr. Chairman.  25 THE CHAIR: Mr. Iafelice.</p>



<p style="text-align: right;">Page 30</p> <p>1 MR. IAFELICE: I'm a little  2 confused, and I appreciate your statements,  3 particularly as it relates to acreage. I  4 guess going back to what was in existence  5 before the amendments, and I am a little  6 confused since we have talked about it. I  7 don't know if there is a little refresher here  8 of what we had before in order for me to get  9 the perspectives correct here between an  10 amendment and what we had before relating to  11 the maximum square footage of the detached  12 buildings. I guess I'm just asking for kind  13 of a review, if you will, of what it was  14 before. I'm reading the markouts.  15 MS. FREEMAN: Mr. Chairman,  16 I'd be happy to answer your question.  17 THE CHAIR: Heather, if you  18 could.  19 MS. FREEMAN: What we do have  20 in front of us, and these were posted on the  21 website too along with the legal notice, the  22 amendments with track changes. So if you look  23 at the website, you can see what the existing  24 language is and then you will see red text,  25 underlined text with new verbiage, and then</p>	<p style="text-align: right;">Page 32</p> <p>1 next question because these properties are not  2 even subject to this.  3 MS. FREEMAN: Yeah. So I  4 hope that helps clarify where we were and what  5 we are suggesting now. But one additional  6 limitation we did renew is tying it to the  7 square footage of the living area on the first  8 floor of the home. And a question was raised  9 or a statement was brought up about people  10 want smaller homes in Concord so you might  11 have ranches, things like that. We do have  12 minimum living area restrictions for single  13 family dwellings that are already in place in  14 a different section of the resolution. So  15 anyone today or moving forward that wants to  16 build a ranch, the first floor living area has  17 to be at least 1,200 square feet. So if you  18 build your home to the minimum 1,200 square  19 feet, you can still have if you're on a one  20 acre lot an attached 1,200 square foot garage  21 and a detached 1,200 square foot garage, which  22 on a half acre lot is very generous, on a one  23 acre lot is very generous, even on a two acre  24 lot I think that's a lot. Once you have two  25 acres, you know, if you have a 1,200 foot</p>
<p style="text-align: right;">Page 31</p> <p>1 the red stripe through text is what we are  2 posing to take away.  3 So as far as the sizes on lots  4 less than two acres, we stuck with those same  5 maximum sizes that were already in the zoning  6 resolution, the 1,024 feet. And then in lots  7 greater than two acres we kept the 1,532. We  8 had a lengthy discussion as to where did the  9 township come up with those figures initially,  10 which we really could not determine, so the  11 board after, we decided to stick with those  12 numbers, but then what we changed specifically  13 for lots over two acres is one of the new  14 additions is limiting it to only two detached  15 accessory buildings not to exceed a combined  16 square footage of 1,532. That is a new  17 restriction, whereas before you could have  18 multiple buildings each being 1,532. And  19 again, these are for buildings that are not  20 exempt agricultural uses. So Mr. Gillespie  21 that came up and talked about a six acre  22 parcel with a horse barn, that horse barn is  23 not subject to that restriction under the  24 current code nor the proposed resolution.  25 MR. IAFELICE: That was my</p>	<p style="text-align: right;">Page 33</p> <p>1 square house, your limitation is going to go  2 down a little bit, right. You are not going  3 to be able to get that benefit to do the  4 1,532. You have to stay at 1,200 for attached  5 and 1,200 for detached, and that's assuming  6 you build the smallest ranch possible under  7 the current zoning resolution.  8 For a two story house we are  9 talking minimum 1,600 square foot. So however  10 you split that up, if you have a half story on  11 the top or very small, like I have see a lot  12 of larger first flooring and then a very small  13 second story, not even half a story. So you  14 still might be able to get closer to that  15 larger potential size even with trying to  16 build a small house that Concord would allow  17 you to build.  18 MR. IAFELICE: Heather,  19 thank you for that. That was a great quick  20 refresher. Thank you very much. The square  21 footage was basically what we had before. The  22 issue was on lots two acres or greater there  23 was no limit to the number of accessory  24 buildings, right, each can be up to 1,532  25 square feet?</p>

<p style="text-align: right;">Page 34</p> <p>1 MS. FREEMAN: If you  2 recall, we did have a discussion about what if  3 there are special circumstances. And as Frank  4 indicated, the BZA can take those up in those  5 unique situations where the building might be  6 appropriate in the neighborhood where it's  7 being suggested where it might not be  8 appropriate in a more densely populated  9 neighborhood. And at that time the BZA could  10 maybe look at the aesthetics or figure out the  11 screening, the landscaping so it wouldn't be  12 obnoxious to an adjoining property owner. And  13 with the agreement of the applicant, you know,  14 if they'd be willing to do those type of  15 things as part of getting that approved,  16 that's something that they can take up with  17 the BZA if they needed something that wasn't  18 permitted.</p> <p>19 MR. IAFELICE: Thanks  20 again. Mr. Chairman, that's all I have. Just  21 a clarification of it.</p> <p>22 THE CHAIR: It's always  23 good to have a refresher to kind of snap you  24 back into what we are doing.</p> <p>25 MR. IAFELICE: It does.</p>	<p style="text-align: right;">Page 36</p> <p>1 couldn't do that with the aesthetics. There  2 is just no standard.</p> <p>3 So like was mentioned, we put  4 a lot of time into these trying to come up  5 with the best we can going forward as a  6 township. I don't know how many more lots we  7 have that would be six acres left in the  8 township because we are using up a lot of the  9 developable land, and the standard lots seem  10 to be now one acre or half acre lots. And  11 that's the direction that the community has  12 gone and we had to take that into  13 consideration too.</p> <p>14 I had a half acre lot in my  15 last house in Concord and I had a three car  16 garage building in the backyard on my half  17 acre. Now, my house was 2,400 square feet so  18 the barn didn't look out of proportion, but it  19 was pretty large back there on a half acre,  20 but it was legal and it was permitted. And  21 we're trying to just keep things in balance as  22 a community too as the township grows to keep  23 things in harmony with the way it's growing.  24 All of your inputs were excellent. We  25 appreciate that. That's all I have, Andy.</p>
<p style="text-align: right;">Page 35</p> <p>1 Thank you.</p> <p>2 THE CHAIR: Mr. Peterson.</p> <p>3 MR. PETERSON: Just a  4 couple things to maybe reiterate. We talked  5 about the size of the square footage on the  6 first floor of, for example, 900 square feet.  7 Our thinking was, well, if you have 900 square  8 feet on the first floor of the house, you  9 could build a much larger outbuilding and that  10 would look really out of proportion in a  11 neighborhood and it might be objectionable to  12 other neighbors.</p> <p>13 So we gave that a lot of  14 thought and we said well, we have to have some  15 restriction somehow and we came up with the  16 one that can we did. The other one as far as  17 the aesthetics, I just want to reiterate what  18 Frank said. We'd like any addition or  19 accessory building like that large one to look  20 sort of residential like it belongs, not like  21 a machine shop. We spent a lot of time  22 kicking that around. What looks like a house  23 to me might not look like a house to you.  24 Concord has no standards that say what a  25 residence has to appear like. So we just</p>	<p style="text-align: right;">Page 37</p> <p>1 THE CHAIR: Super. Thanks,  2 Rich. Anybody else on the board want to make  3 any comments based on what anyone said?</p> <p>4 Now, just for the edification  5 of the people that are here this evening and  6 for those at home watching, this is public  7 hearing number one, okay? There will be a  8 second public hearing. It will go to the  9 trustees. We are not the final decision on  10 this process, okay? So there will be a second  11 public hearing and that will be set up by the  12 trustees and they will discuss this, as well,  13 and they will have an ability to talk and to  14 speak and formulate some opinions or ideas in  15 the meantime. And they have the ability to  16 either approve our decision as it was made,  17 they could make some adjustments to our  18 decision, or they can completely reject our  19 decision and that's out of our control.</p> <p>20 Our job is to do we have done.  21 We've taken it to this point, and then once  22 we're done and it gets handed over to the  23 trustees, they have a second public hearing  24 that will be scheduled in the near future.  25 There is a time limit. Everything is moving.</p>

<p style="text-align: right;">Page 38</p> <p>1 It's not going to sit for a long, extended 2 period of time. They will announce the next 3 public hearing for this and you'll have a 4 second bite of the apple so to speak. You'll 5 have a second chance to come and voice your 6 opinion or voice any concerns you have about 7 this to them.</p> <p>8           And, like I said, they have 9 the option during that public hearing to 10 either make some changes to amendments to what 11 we have done, make some changes, tweak some 12 adjustments. They can just accept our 13 decision as it is or they could just totally 14 just reject the whole thing and deny the 15 entire process. So this is not the final 16 decision. So I want to make sure you don't 17 feel like you are leaving here tonight and you 18 have lost the battle or your say has been said 19 and you have no further recourse. There is a 20 second opportunity that will be coming up just 21 so you are aware.</p> <p>22           Any other comments or more 23 issues?</p> <p>24           Personally, I feel that this 25 was very well thought out. We had a concerned</p>	<p style="text-align: right;">Page 40</p> <p>1 it so that there was a little more uniformity, 2 a little more consistency. I understand 3 people like to have extra buildings and store 4 their stuff. I get it. I have seen huge RVs 5 and 30 foot travel trailers and buses and all 6 sorts of things that are out there, and I know 7 that I'm sure a lot of people would like to be 8 able to store those or put them in a garage or 9 some facility on their property where it's not 10 sitting out so everybody has to look at it. I 11 think that's important.</p> <p>12           And we looked at this, we kind 13 of discussed the square footages, we discussed 14 the relationships between existing homes and 15 these accessory buildings, and we felt with 16 what we had already on the books and what we 17 came up with as a decision on this, we felt 18 was a good compromise to still allow people to 19 put a fairly substantial accessory building on 20 their property without hindering them, but 21 also put some limitations that would kind of 22 require some thought and maybe a little more 23 creativity from the homeowner's standpoint and 24 more consideration for the neighbors instead 25 of just putting up some construction facility.</p>
<p style="text-align: right;">Page 39</p> <p>1 resident that brought this to our attention 2 who was adversely affected by a kind of, I 3 hate to use the work loophole because that 4 sounds nefarious, but through an omission in 5 the zoning text that allowed for an addition 6 to a home that was an extraordinarily large 7 facility, large building, but because there 8 were no restrictions and it was attached to 9 the existing home, the guy was able to do what 10 he did. He didn't break any rules. He didn't 11 do anything that was wrong. It was just the 12 way the text was put together that allowed 13 that to happen.</p> <p>14           And we saw that and we heard 15 the concerns and we saw the end result and we 16 felt, wow, that's a problem, and we felt that 17 we should address that because the next one 18 could be somebody else sitting in this room or 19 somebody else that has to deal with that kind 20 of a large building being built next to them.</p> <p>21           And consequently, we felt that 22 it was important to address this and we saw 23 that there was a deficiency in our zoning 24 resolutions to address this kind of a scenario 25 and we wanted to close that omission and make</p>	<p style="text-align: right;">Page 41</p> <p>1 So we felt that this was a good compromise and 2 a good issue that we felt that we could move 3 forward with. So that's how this arrived on 4 our agenda.</p> <p>5           And this was, I don't know, 6 Heather, what, six months we spent probably or 7 longer discussing all the different 8 parameters?</p> <p>9           MS. FREEMAN: I think four 10 or five meetings at least.</p> <p>11           THE CHAIR: So we 12 definitely put some time in on this. We 13 didn't just pick a number out of a hat and say 14 that looks good. We didn't try to have a 15 little back room discussion at to what we 16 thought was fair or unfair. We really hashed 17 this out.</p> <p>18           And all of our zoning 19 commissions are open to the public, okay, and 20 you are all welcome to come to those meetings. 21 And we do have a section on our agenda that is 22 specifically carved out for public comment. 23 So when we have these things in front of us 24 and we are having these discussions, we 25 welcome the residents to come to the meetings</p>

<p style="text-align: right;">Page 42</p> <p>1 and give us their input. That's how we got  2 there. We had a resident that came and during  3 the public comment section, he addressed us  4 and talked to us about what happened and what  5 was going on and we took action. And the same  6 goes for any issue that we are taking on as a  7 Zoning Commission. We are five guys. We have  8 a great zoning inspector that does a lot of  9 work and puts a lot of time and effort into  10 putting the verbiage and everything together  11 for the zoning resolution. But we are five  12 guys, and we are not right on everything. We  13 don't know everything there is to know. And  14 we, certainly, would welcome people to come in  15 and give us their comments and opinions on  16 things that we are considering and you are  17 welcome to do that.</p> <p>18 As a chairman, I have been on  19 a zoning commission for a long time, and I  20 always believe in giving people the  21 opportunity to have their say. I don't ever  22 want anybody to say, well, I didn't get to  23 have my input or I didn't get to come up and  24 address the board. I will let you say  25 whatever you have to say as long as it's</p>	<p style="text-align: right;">Page 44</p> <p>1 accommodated, now is the time to do it. Once  2 we decide this evening before we have our  3 final decision here, we do have opportunity to  4 make some tweaks and adjustments here and  5 there. So we appreciate you guys coming in  6 and having your say.</p> <p>7 So at this point in time I  8 guess what I'd like to do is if there is no  9 further comments from the board is --</p> <p>10 MR. PETERSON: One comment,  11 Andy. Do we have to take into consideration  12 and do the Lake County Planning Commission,  13 the two memos?</p> <p>14 THE CHAIR: Oh, thank you.  15 Yeah, I meant to say something. That's  16 correct. We do have a letter from the Lake  17 County Planning Commission.</p> <p>18 MR. PETERSON: Two of them  19 actually.</p> <p>20 THE CHAIR: There is a  21 memorandum.</p> <p>22 MR. IAFELICE: May I,  23 Mr. Chairman? Sorry to interrupt. Are we  24 still in a public hearing? Should we close  25 since we are bringing up another issue?</p>
<p style="text-align: right;">Page 43</p> <p>1 reasonable and within the decorum of a public  2 hearing. Have at it. I think it's important  3 and I will support that to my dying breath.</p> <p>4 However, we don't get a lot of  5 participation. There is many, many nights we  6 sit here and hash out this stuff to an empty  7 room. So we are left to our own devices. We  8 come up with a consensus and we try to come up  9 with a decision that we feel is fair and good  10 for the community and it's going to take the  11 community's best interest at heart and we go  12 from there. Then we have these public  13 hearings where you are invited to come and  14 make comment. And there will be another  15 public hearing from the trustees on this exact  16 issue and you will be again have the  17 opportunity to make comments.</p> <p>18 So we try to give everybody as  19 much input into this process as they possibly  20 can give. And we appreciate you, gentlemen,  21 coming in this evening and making your  22 comments. We do take this stuff seriously.  23 We do take your comments to heart. If there  24 is some things you need to bring up and there  25 are some changes we feel need to be</p>	<p style="text-align: right;">Page 45</p> <p>1 MS. MATHENEY: You already  2 closed it.</p> <p>3 THE CHAIR: Yeah, I did  4 close the public portion of the hearing. I  5 haven't closed the public hearing yet. I was  6 getting to that point. But I think before we  7 close the public hearing, I think it would  8 make sense to enter into the -- and thanks,  9 Rich, for catching that. I really appreciate  10 that. I meant to say something earlier and  11 Heather was explaining some things and I lost  12 my train of thought.</p> <p>13 MR. PETERSON: I thought  14 these might be of interest to the audience.</p> <p>15 THE CHAIR: We send all of  16 these issues to the Lake County Planning  17 Commission for review and if they see  18 discrepancies or issues that they find  19 consideration for. Because they are a  20 recommending body, they don't have a final say  21 on what we do, but we certainly take their  22 opinions and comments seriously.</p> <p>23 We did receive a letter on  24 September 30th from the Lake County Planning  25 Commission. And it says, "Dear Ms. Freeman:</p>

<p style="text-align: right;">Page 46</p> <p>1 The Lake County Planning Commission took under  2 consideration the above-mentioned text  3 amendment at their meeting on Tuesday,  4 September 24th of 2024. The Lake County  5 Planning Commission recommended that you do  6 make the text changes with the following  7 suggestions."  8         Bullet point number 1. "Lake  9 County Planning Commission is concerned with  10 the language: No accessory building shall be  11 erected to height in excess of that of the  12 principal building to which it is incident."  13 The standard height in Concord Township is 35  14 feet. This language would allow accessory  15 structures to be 34.99 feet in height. Also,  16 if there is a legal non-conforming building to  17 height or BZA gives a variance on height, it  18 could be higher. It is recommended to  19 reconsider this language.  20         Okay. The next bullet point.  21 There is a new definition of breezeway, but  22 there is no additional language on how the new  23 term is going to be used in the zoning code.  24 It is recommended that you state why you are  25 defining this term.</p>	<p style="text-align: right;">Page 48</p> <p>1 Commission made recommendations for  2 modifications to the proposed text amendments.  3 Staff is recommending the following  4 modifications to the proposed text amendments  5 in order to address their concerns.  6         Number 1. Revise Section  7 15.03(A)(6) to read as follows: "No accessory  8 building shall be erected to a height in  9 excess of that of the principal building to  10 which it is incident, but the height shall  11 also not exceed the height as set forth in  12 Section 15.04."  13         Number 2. In order to address  14 the concerns of the raised bullet .2 and 3,  15 staff is recommending modifications to  16 definitions as follows:  17         Bullet point 1. Add new  18 definition of Building Attached: A building  19 which is physically attached to a dwelling,  20 shares a common wall with the habitable part  21 of the dwelling, and can be directly accessed  22 from the habitable part of the dwelling via a  23 doorway. A building connected to a dwelling  24 by means of an unenclosed space such as a  25 breezeway, porch or similar area which is not</p>
<p style="text-align: right;">Page 47</p> <p>1         The next bullet point is most  2 of the Concord Township Zoning Resolution  3 treats accessory structures as a stand-alone  4 structure or detached structure. 15.03(A)9 is  5 the first time it has seen the term attached  6 accessory structure. What is that? Is that  7 an accessory structure attached to a main  8 structure or two accessory structures  9 attached to each other? It is recommended to  10 better define attached and detached accessory  11 structure or not accept the change to  12 15.03(A)9.  13         The last bullet point is  14 Section 15.03(A)10. Does not make sense as a  15 separate section. It is recommended to  16 combine it with the section previous.  17         We are available to help with  18 any aspect of this recommendation. If you  19 have any questions, please feel free to call  20 David Radachy, Director. That's from the Lake  21 County Planning Commission.  22         And then we have a memorandum,  23 and it's from Heather to the Zoning  24 Commission, and it's dated October 1st, today.  25         The Lake County Planning</p>	<p style="text-align: right;">Page 49</p> <p>1 part of the habitable area is not an attached  2 garage for purposes of this resolution.  3         Next bullet point. Revise  4 existing definition of Building, Detached: A  5 building which is physically detached from a  6 dwelling or other main use on a lot.  7         And the last bullet point is  8 revise existing definition of Garage, Private:  9 An accessory building designed to store motor  10 vehicles and other normal household  11 accessories of the residents of the principal  12 building with no facilities for mechanical  13 service repair of a commercial or public  14 nature.  15         And then point number 3.  16 Regarding proposed Section 15.03(A)(10), this  17 appears to be a formatting issue, as this  18 section will read as follows: "The square  19 footage of any detached or attached accessory  20 building on a lot shall not exceed the square  21 footage of the living area on the ground floor  22 level of the principal building on the lot but  23 shall also not exceed the maximums permitted  24 in 15.03(A)(7) or 15.03(A)(8). That is the  25 memorandum.</p>

<p style="text-align: right;">Page 50</p> <p>1 MS. FREEMAN: Mr. Chairman,  2 I'm happy to clarify any of those  3 recommendations as they relate to the existing  4 resolution.  5 THE CHAIR: Now, in this  6 memorandum, Heather, the changes that you are  7 proposing in the memorandum, have those been  8 moved into the public hearing component, the  9 amendments, or would we have to consider the  10 amendments plus your recommendation?  11 MS. FREEMAN: If you thought  12 these modifications that I am proposing  13 tonight are appropriate for the other  14 amendments that we are considering, I would  15 recommend approval with these modifications.  16 THE CHAIR: Right. Okay.  17 MS. FREEMAN: So for like  18 Amendment No. 1, which you know we are already  19 proposing to revise Section 5.02 with a few  20 other definitions, so my recommendation would  21 be to approve Amendment No. 1 with the  22 modification to add the new definition for the  23 attached building, and then, also, to revise  24 the existing definitions for detached building  25 and private garage.</p>	<p style="text-align: right;">Page 52</p> <p>1 MR. SCHINDLER: Nothing,  2 Mr. Chairman.  3 THE CHAIR: Hiram?  4 MR. REPPERT: None, sir.  5 THE CHAIR: Mr. Peterson.  6 MR. PETERSON: I think  7 Heather's memorandum does a nice job of taking  8 the suggestion from the County and melding  9 them into our revisions so I would include  10 that.  11 THE CHAIR: Right. I  12 agree. Mr. Iafelice.  13 MR. IAFELICE: Yes.  14 Mr. Chairman, I would agree with Rich's  15 comment. Heather's memorandum revising these  16 sections are well prepared and very well  17 understood. Thank you. That's all I have.  18 THE CHAIR: So at this  19 point in time we have no further comments from  20 the board. The public portion of the hearing  21 has been closed and I would like to bring this  22 public hearing to a close, as well, and then  23 under new business we will do our votes. So  24 we will go through the rest of the agenda and  25 we'll do our votes under new business, okay?</p>
<p style="text-align: right;">Page 51</p> <p>1 There would be no changes to  2 Amendment No. 2.  3 Amendment No. 3 I would  4 recommend with one modification to Section  5 15.03(A)(6), which is to add the verbiage the  6 height shall also not exceed the height as set  7 forth in 15.04, which is for your reference is  8 20 feet in most zoning districts. I think  9 there is one district where it's 18 feet.  10 So the intent was the detached  11 building could not be taller than the main  12 dwelling but also cannot exceed the maximum of  13 20 feet. If you recall, there was another  14 incident over on Stuart Drive that was brought  15 to our attention, as well, that this issue  16 could potentially prevent in the future. It  17 was like a ranch built with another detached  18 garage taller and out of scale in relationship  19 to the home where a neighbor had reached out  20 to us as well at one point and objected to the  21 aesthetics of that on a smaller lot. It was  22 not quite a half acre. I think it was closer  23 to an acre lot.  24 THE CHAIR: Any additional  25 comments or input from the board? Frank.</p>	<p style="text-align: right;">Page 53</p> <p>1 So with that, we will end this  2 public hearing and we'll move on in the  3 agenda. The next item on the agenda is the  4 approval of the minutes from the last hearing.  5 I will entertain a motion.  6 MS. FREEMAN: There is no  7 minutes. There is none listed there.  8 THE CHAIR: So we won't  9 have to worry about that. Correspondence  10 Report. Frank, anything?  11 MR. SCHINDLER: None for  12 me, Mr. Chairman.  13 THE CHAIR: Hiram.  14 MR. REPPERT: None,  15 Mr. Chairman.  16 THE CHAIR: Mr. Peterson?  17 MR. PETERSON: Nothing,  18 sir.  19 THE CHAIR: Mr. Iafelice.  20 MR. IAFELICE: Nothing,  21 sir.  22 THE CHAIR: I have nothing  23 as well. Zoning Inspector Report. Heather,  24 would you like to tell us what's going on?  25 MS. FREEMAN: Well, I</p>

<p style="text-align: right;">Page 54</p> <p>1 really didn't have anything much prepared for  2 this evening. The car washing spots are now  3 open there over there on Crile and Old Crile,  4 so feel free to go frequent there. The  5 creamery should be opening soon. The pool  6 company that's building right up the street  7 right over here has started construction I  8 see.</p> <p>9 THE CHAIR: I saw stakes in  10 the ground the other day.</p> <p>11 MS. FREEMAN: And Taco Bell  12 is well under way as well. We had some  13 interest in the -- since the Quail Hollow  14 report went out there has been some discussion  15 between some other individuals about that  16 report, the potential uses. So I know I had  17 mentioned at a previous meeting that the  18 township has to kind of decide what can we  19 really envision there, what would be  20 appropriate on that site. So I'm thinking  21 that we may have to start maybe having some  22 discussions at this level to look at what they  23 are suggesting and what we think might be  24 suitable at that location, what can we accept  25 there, the pros and cons of the different uses</p>	<p style="text-align: right;">Page 56</p> <p>1 a comment.</p> <p>2 THE CHAIR: Sure. Come on  3 up. Please state your full name and address  4 for the address.</p> <p>5 MR. HAYWARD: Robert  6 Hayward. 9704 Knightsbridge Lane. I came  7 here for the zoning amendments that were on  8 the board, and I wasn't necessarily for or  9 against, but, thank you, Frank, for talking  10 about the variance part of it because I will  11 probably be talking to Heather soon about the  12 variance part of it.</p> <p>13 I guess my question is you  14 mentioned about going around to your neighbors  15 because that's like a good thing to do, right,  16 talk to your neighbors. And if I'm going to  17 build a building, you know, I don't want to  18 screw you up or restrict your views, but I  19 live on more of an excluded almost four acre  20 lot. So if I go forward with something like  21 that, which neighbors should I talk to, just  22 like both sides? Like behind me is Kirtland  23 Hills.</p> <p>24 MR. SCHINDLER: When you  25 bring something up like that, especially to</p>
<p style="text-align: right;">Page 55</p> <p>1 that were suggested in that resolution.  2 Because I think we all  3 understand that the special district as it's  4 written right now is very limited, crafted  5 specifically for the hotel. There is a few  6 other uses you can do there, but maybe not  7 really feasible for that site, per se. So I'm  8 thinking if someone is going to want to  9 redevelop that site, we are going to have  10 update zoning. So if we have a good idea from  11 the trustees' perspective, from this board's  12 perspective it would be palpable there, good  13 for Concord if we want to work with future  14 developers and how to change the zoning.  15 That's about it.</p> <p>16 THE CHAIR: That's it?  17 That's a short report. Good stuff though.  18 Either that or you are getting better at it.</p> <p>19 The next item on the agenda is  20 Public Participation. Are there any comments  21 from the audience, any burning issues or  22 considerations or things you would like to see  23 on the agenda moving forward? Does anybody  24 have anything to say? No, okay.</p> <p>25 MR. HAYWARD: I do. I have</p>	<p style="text-align: right;">Page 57</p> <p>1 the Zoning Board of Appeals, they, when you  2 put your request in will notify your  3 neighbors, their properties that butt up to  4 yours with a letter to look for input if they  5 object to it. That's when the thing will come  6 to some kind of a decision. So you won't be  7 blindsided. Everybody will be aware and they  8 will be asked to attend the meeting and voice  9 their concerns if any. So I know over the  10 years I have had that happen to me personally,  11 and with no objection they said it's fine with  12 me and that's all it took.</p> <p>13 MR. HAYWARD: So it's  14 generally a very friendly process.</p> <p>15 MR. SCHINDLER: Very  16 friendly.</p> <p>17 MR. HAYWARD: Yeah. I've  18 got one neighbor and then behind me is a like  19 green space for like the HOA. I believe  20 that's what it is. It's some sort of  21 conservatory. Thank you very much for your  22 time.</p> <p>23 MR. SCHINDLER: You are  24 welcome.</p> <p>25 THE CHAIR: Okay. Any</p>

<p style="text-align: right;">Page 58</p> <p>1 other public comment?</p> <p>2 MR. REPPERT: 9704?</p> <p>3 MR. HAYWARD: Yeah.</p> <p>4 MR. REPPERT: I'm 9715.</p> <p>5 MR. HAYWARD: Oh, okay.</p> <p>6 Nice to meet you. I don't know any of my</p> <p>7 neighbors.</p> <p>8 MR. REPPERT: Nice to meet</p> <p>9 you too.</p> <p>10 THE CHAIR: The next item</p> <p>11 on the agenda is new business and we are going</p> <p>12 to vote to approve the Zoning Text Amendments</p> <p>13 on the Concord Township Zoning Resolution as</p> <p>14 initiated by a motion by the Zoning</p> <p>15 Commission.</p> <p>16 So we have three different</p> <p>17 amendments. What I would like to do is read</p> <p>18 the amendment and then I will entertain a</p> <p>19 motion in the affirmative, and then Heather</p> <p>20 will call the role. And just make sure that</p> <p>21 when you make your motion that you include the</p> <p>22 term "with modifications" so we know that that</p> <p>23 includes the memorandum that Heather prepared</p> <p>24 prior to the meeting, okay? So just make sure</p> <p>25 when you make that amendment that as you make</p>	<p style="text-align: right;">Page 60</p> <p>1 MR. PETERSON: It's just</p> <p>2 added breezeway.</p> <p>3 MR. IAFELICE: No. 3 under</p> <p>4 5.02 definition, correct, it's not revised by</p> <p>5 Heather's memorandum, correct?</p> <p>6 MR. REPPERT: As far as I</p> <p>7 can see, correct.</p> <p>8 MR. IAFELICE: I'm trying</p> <p>9 to make sure when you are approving here, it's</p> <p>10 a combination, right? A combination of what</p> <p>11 was already in the amendment?</p> <p>12 MR. SCHINDLER: Plus adding</p> <p>13 this.</p> <p>14 MR. PETERSON: We didn't</p> <p>15 change anything. We had no modification to</p> <p>16 Amendment 1.</p> <p>17 MR. REPPERT: Isn't that</p> <p>18 No. 2? Aren't we doing the --</p> <p>19 MR. PETERSON: No. That's</p> <p>20 the amendment. Anything in red is the</p> <p>21 amendment.</p> <p>22 MR. IAFELICE: Before we</p> <p>23 received this memorandum, if you go to No. 3</p> <p>24 under 5.02, if you go to No. 28, that's</p> <p>25 breezeway. Then number 216, it's on page</p>
<p style="text-align: right;">Page 59</p> <p>1 that motion, that you say "with modifications"</p> <p>2 at the end of that motion for that particular</p> <p>3 amendment.</p> <p>4 So at this point in time we</p> <p>5 are dealing with Amendment No. 1: Revise</p> <p>6 Section 5.02(A) definitions as follows:</p> <p>7 Revise definition of accessory building or use</p> <p>8 and use. Provide definition for new term</p> <p>9 breezeway.</p> <p>10 I will entertain a motion in</p> <p>11 the affirmative.</p> <p>12 MR. SCHINDLER:</p> <p>13 Mr. Chairman, I make a motion we accept the</p> <p>14 resolution with modifications stated on the</p> <p>15 memorandum of October 1st.</p> <p>16 THE CHAIR: We have a</p> <p>17 motion made.</p> <p>18 MR. IAFELICE:</p> <p>19 Mr. Chairman, discussion. Clarifying that</p> <p>20 Frank is referring to the memo, I don't know</p> <p>21 that Amendment 1 is subject to Heather's memo</p> <p>22 tonight. Amendment 1 is related to several</p> <p>23 definitions in 5.02, that correct me again if</p> <p>24 I'm wrong, one of them is not revised? Am I</p> <p>25 correct?</p>	<p style="text-align: right;">Page 61</p> <p>1 5.23, those were what were before us before</p> <p>2 Heather's recommendations, correct?</p> <p>3 MS. FREEMAN: Yes.</p> <p>4 MR. IAFELICE: So in</p> <p>5 addition she's adding a definition and</p> <p>6 revising two others, so there is six different</p> <p>7 items. Again, I'm restating just to make sure</p> <p>8 I understand what I'm voting for. There are</p> <p>9 six definitions that are being changed or</p> <p>10 revised or added, correct?</p> <p>11 MS. FREEMAN: Yes, the</p> <p>12 three that we are already contemplating plus.</p> <p>13 MR. SCHINDLER: Then I</p> <p>14 withdraw my recommendation then.</p> <p>15 MR. IAFELICE: To clarify,</p> <p>16 there are three definitions already in the</p> <p>17 amendment that were proposed before we got</p> <p>18 Heather's so we have three more.</p> <p>19 MR. SCHINDLER: So this</p> <p>20 here is the one that has to be --</p> <p>21 MR. PETERSON: He's right.</p> <p>22 This does call for changes to Amendment 1.</p> <p>23 MR. IAFELICE: Correct? so</p> <p>24 these are three in addition to the three we</p> <p>25 already have, right?</p>



<p style="text-align: right;">Page 62</p> <p>1 MR. PETERSON: So he's 2 correct in including the modifications? 3 MS. FREEMAN: Yes. 4 MR. IAFELICE: And I'm 5 restating it to make sure it means all six. 6 It is all six we are accepting. 7 MR. PETERSON: This and 8 this. 9 MR. IAFELICE: Yes. 10 MR. PETERSON: Which is 11 what you said. 12 MR. SCHINDLER: That's what 13 I thought I said but now I'm confused. 14 MR. REPPERT: So we are 15 adding a definition for building attached, 16 correct? We are adding a definition for new 17 term breezeway, two additions? 18 MR. PETERSON: Breezeway 19 was already in there. 20 MR. IAFELICE: It says 21 provide definition for new term breezeway, but 22 it's already -- 23 MS. FREEMAN: I think you 24 guys are getting confused. 25 MR. REPPERT: It's already</p>	<p style="text-align: right;">Page 64</p> <p>1 THE CHAIR: So a motion was 2 made and seconded by Mr. Peterson. Motion 3 made by Mr. Schindler. And, Heather, would 4 you call the roll? 5 MS. FREEMAN: Okay. 6 Mr. Reppert. 7 MR. REPPERT: Yes. 8 MS. FREEMAN: Mr. Schindler. 9 MR. SCHINDLER: Yes. 10 MS. FREEMAN: Mr. Iafelice. 11 MR. IAFELICE: Yes. 12 MS. FREEMAN: Mr. Peterson. 13 MR. PETERSON: Yes. 14 MS. FREEMAN: Mr. Lingenfelter. 15 MR. LINGENFELTER: Yes. 16 THE CHAIR: So let the 17 record reflect that we have five ayes and no 18 nays, no abstentions for Amendment No. 1. 19 Okay. 20 Now I will consider a motion 21 for Amendment No. 2. 22 MR. IAFELICE: I'm pausing, 23 Mr. Chairman, because there is a little 24 confusion trying to understand what it is we 25 are approving in Amendment No. 2.</p>
<p style="text-align: right;">Page 63</p> <p>1 in here. There are of three of them. 2 MR. IAFELICE: We are 3 revising building or use and use and then also 4 building attached, building detached. 5 MR. PETERSON: And garage, 6 private. 7 MR. IAFELICE: No. We're 8 revising building, detached and garage, 9 private. 10 MR. PETERSON: Correct. 11 That's what we are doing in 5.02? 12 MR. PETERSON: That's what 13 Frank meant, I believe. 14 MR. IAFELICE: I'm just 15 trying to make sure that we understand it. 16 There is six different ones here? 17 MR. SCHINDLER: Yes. 18 MR. IAFELICE: The three we 19 had and three more. 20 THE CHAIR: So are you okay 21 with your motion? 22 MR. IAFELICE: The motion 23 is okay. 24 MR. PETERSON: Having said 25 that, I will second his motion.</p>	<p style="text-align: right;">Page 65</p> <p>1 THE CHAIR: Use 2 regulations. 3 MR. IAFELICE: Yes. I'm 4 looking at them, none of which, if I may, are 5 altered by Heather's -- there is no 6 modifications to the Amendment 2. Do you see 7 that? 8 MS. FREEMAN: Right. 9 MR. IAFELICE: Do you see 10 that? I've got that right, there is no 11 modification to Amendment 2 as submitted? 12 THE CHAIR: I believe 13 that's correct. Right, Heather? 14 MS. FREEMAN: Yes. 15 THE CHAIR: I don't see any 16 comments in your memorandum referencing 15.02. 17 MR. PETERSON: 18 Mr. Chairman, I will make a motion that we 19 approve Amendment No. 2. 20 THE CHAIR: Okay. And 21 that's to revise Section 15.02 Use 22 Regulations, to clarify that the permitted and 23 conditional uses are principal uses in both 24 the text and Table 15.02-1. So motion made. 25 MR. SCHINDLER: I second,</p>

<p style="text-align: right;">Page 66</p> <p>1 Mr. Chairman.</p> <p>2 THE CHAIR: Mr. Schindler</p> <p>3 seconds.</p> <p>4 MR. IAFELICE: Discussion.</p> <p>5 THE CHAIR: Have at it.</p> <p>6 MR. IAFELICE: Again, the</p> <p>7 Planning Commission have recommended, had</p> <p>8 questions on this Amendment 15.02 use which</p> <p>9 covers 15.3(A)(9) and 15.03(A)(10) which is</p> <p>10 covered in Heather's No. 3. 15.03(A)(10) is</p> <p>11 revised.</p> <p>12 MS. FREEMAN: We are about</p> <p>13 vote on the second amendment.</p> <p>14 MR. IAFELICE: The second</p> <p>15 amendment is Use Regulations, right, 15.02?</p> <p>16 THE CHAIR: Yes. There is</p> <p>17 no comment from the Lake County Planning</p> <p>18 Commission on 15.02 or that references 15.02</p> <p>19 in there.</p> <p>20 MR. IAFELICE: Okay. I</p> <p>21 stand corrected. Thank you.</p> <p>22 THE CHAIR: Better to be</p> <p>23 safe than sorry. Are you good?</p> <p>24 MR. IAFELICE: Yes. No</p> <p>25 further discussion.</p>	<p style="text-align: right;">Page 68</p> <p>1 principal building on the lot. Add provision</p> <p>2 limiting lots greater than two acres to have</p> <p>3 no more than two detached accessory buildings</p> <p>4 with a maximum combined gross floor area of</p> <p>5 1,532 square feet. Add provision that any</p> <p>6 attached or detached accessory building shall</p> <p>7 not exceed the square footage of the living</p> <p>8 area on the ground level of the principal</p> <p>9 building on the lot, but also not to exceed</p> <p>10 the maximum square footages permitted for</p> <p>11 detached accessory buildings.</p> <p>12 MR. IAFELICE:</p> <p>13 Mr. Chairman, I'm going to make a motion to</p> <p>14 approve Amendment No. 3 as submitted and as</p> <p>15 modified by the memorandum of October 1st from</p> <p>16 Heather Freeman, item numbers 1 and 3.</p> <p>17 THE CHAIR: Excellent.</p> <p>18 Very good.</p> <p>19 MR. PETERSON: I will</p> <p>20 second that motion.</p> <p>21 THE CHAIR: Motion made by</p> <p>22 Mr. Iafelice, seconded by Mr. Peterson.</p> <p>23 Heather, if you would call the roll.</p> <p>24 MS. FREEMAN: Mr. Schindler.</p> <p>25 MR. SCHINDLER: Yes.</p>
<p style="text-align: right;">Page 67</p> <p>1 THE CHAIR: I have a motion</p> <p>2 made and I will consider the second. Frank</p> <p>3 seconded it. We have a motion made by</p> <p>4 Mr. Peterson, seconded by Mr. Schindler.</p> <p>5 Heather, if you could call the roll.</p> <p>6 MS. FREEMAN: Mr. Reppert.</p> <p>7 MR. REPPERT: Yes.</p> <p>8 MS. FREEMAN: Mr. Peterson.</p> <p>9 MR. PETERSON: Yes.</p> <p>10 MS. FREEMAN: Mr. Schindler.</p> <p>11 MR. SCHINDLER: Yes.</p> <p>12 MS. FREEMAN: Mr. Iafelice.</p> <p>13 MR. IAFELICE: Yes.</p> <p>14 MS. FREEMAN: Mr. Lingenfelter.</p> <p>15 MR. LINGENFELTER: Yes.</p> <p>16 THE CHAIR: So let the</p> <p>17 record reflect that for Amendment No. 2 we</p> <p>18 have five ayes, no nays, no abstentions so</p> <p>19 that Amendment No. 2 is approved.</p> <p>20 Okay. I will entertain a</p> <p>21 motion for the final one, Amendment No. 3,</p> <p>22 which is to Revise Section 15.03(A) General</p> <p>23 requirements for accessory buildings as</p> <p>24 follows: Add provision that accessory</p> <p>25 buildings shall not exceed the height of the</p>	<p style="text-align: right;">Page 69</p> <p>1 MS. FREEMAN: Mr. Peterson.</p> <p>2 MR. PETERSON: Yes.</p> <p>3 MS. FREEMAN: Mr. Reppert.</p> <p>4 MR. REPPERT: Yes.</p> <p>5 MS. FREEMAN: Mr. Iafelice.</p> <p>6 MR. IAFELICE: Yes.</p> <p>7 MS. FREEMAN: Mr. Lingenfelter.</p> <p>8 MR. LINGENFELTER: Yes.</p> <p>9 THE CHAIR: Let the record</p> <p>10 reflect that we had five ayes and no nays, no</p> <p>11 abstentions as to Amendment No. 3 so that</p> <p>12 amendment also passes with modifications.</p> <p>13 Okay, nice work. Very good.</p> <p>14 You know, the letter at the</p> <p>15 last second from the Planning Commission</p> <p>16 didn't help. You know, it rolls in and lands</p> <p>17 on your desk the day of the meeting and you've</p> <p>18 got to fly like a maniac to try to get it</p> <p>19 figured out. So you did a nice job and we</p> <p>20 appreciate your effort.</p> <p>21 The next item on the agenda</p> <p>22 this evening is under New Business is to</p> <p>23 review and discuss the agreement between</p> <p>24 Concord Township and the IN9 Group, LLC for</p> <p>25 the property located at Old Crile and Crile</p>

<p style="text-align: right;">Page 70</p> <p>1 Road, being parcel number 08-A-020-0-00-048-0.  2       Bridey, you don't have to  3 leave, but if you feel comfortable in leaving,  4 I want to say that you can do that. That you  5 can step out.  6       MS. MATHENEY: I mean,  7 because it's a conflict I should probably  8 leave the room, but carry on.  9       THE CHAIR: I understand.  10 Have a good evening. I just want everybody to  11 know I didn't kick her out. She's leaving  12 under her own free will. For clarification,  13 someone as part of Bridey's law firm is one of  14 the owners of the properties that is in  15 question here and is with Bridey's law firm,  16 so consequently, they can view that as a  17 potential conflict of interest so she excused  18 herself from this part of the conversation so  19 she's not even here to hear it.  20       The issue that we undertook,  21 gentlemen, was to look at the agreement on the  22 sidewalk completion. I know that was kind of  23 a little bit of a stone in some people's shoes  24 as we were going through this process. And  25 after seeing everything being built and being</p>	<p style="text-align: right;">Page 72</p> <p>1 be done now while we are still getting this  2 completed and it's not to late to get it  3 kicked in and get the sidewalks completed.  4 That was my thought. Now, if you have a  5 different thought, by all means express it.  6       MR. PETERSON: I have a  7 thought. I went to the open house event they  8 had for us Friday night, and I'm really  9 impressed with what they have done for our  10 community by building such a beautiful  11 structure. And the car wash is first class,  12 the creamery is first class. I know they put  13 out a lot of cash to do that. They went above  14 and beyond what they could have done to build  15 something a little less expensive.  16       I looked at the conditions for  17 the sidewalk that are in our agreement. One  18 is pedestrian load. And I would say  19 pedestrian load, I have never seen anybody  20 walk down Crile Road. I drive that all the  21 time. I have never seen one pedestrian, maybe  22 on a bike. Secondly, the necessary  23 infrastructure connections, and I don't know  24 of any. And third, adjacent sidewalk  25 connections. Well, there is nothing adjacent</p>
<p style="text-align: right;">Page 71</p> <p>1 done, I see a value in completing that  2 sidewalk. I think it will give it a much  3 better look and finish and I think it will add  4 to the safety of the people that are using  5 that area.  6       And according to this  7 agreement, it was my understanding of when it  8 was drawn up, it was basically up to us to  9 decide when and if that sidewalk should be  10 built and all we need to do is call it out and  11 they'd have to comply. That was the  12 agreement. So what I'd like to do is --  13       MR. REPERT: Well, they  14 have five years to do so.  15       THE CHAIR: Right. We  16 don't have to do it today, but when we do it  17 they have to do it. They have to move forward  18 with it. My thought process was after  19 reviewing everything, seeing the construction,  20 you know, when it's all just big dirt and  21 piles of rubble and stuff, it's kind of hard  22 to see it. Once the building started going up  23 and you see the value of those sidewalks, I  24 think that that should be done. I think that  25 something that needs to be done and it should</p>	<p style="text-align: right;">Page 73</p> <p>1 to connect to.  2       So I think to force them or  3 even ask them to do a sidewalk when they  4 haven't sold their first cup of ice cream yet  5 would be premature. It's only been 18 months  6 since the agreement was signed.  7       My suggestion is why don't we  8 wait two years from now and we'd still have 18  9 months left in the agreement, and let them  10 have a chance to make that business profitable  11 before they spend money on a sidewalk to  12 nowhere. That's my suggestion. I think it's  13 premature to have a sidewalk there. The  14 landscaping is beautiful, the parking lot is  15 beautiful, and to add additional expense at  16 this point I don't think it's fair.  17       MR. REPERT: Mr. Chairman,  18 I think I'm going to walk down Crile Road --  19       MR. PETERSON: Good luck.  20       MR. REPERT: -- and see  21 if there is a need for a sidewalk. You are  22 right. What we are looking at is if there was  23 someone to the left, someone to the right,  24 somebody across the street, if they are all  25 developed, yeah, I think we would add a</p>

<p style="text-align: right;">Page 74</p> <p>1 sidewalk. Like you said, a sidewalk to  2 nowhere. And where I used to live we used to  3 have a bridge to nowhere, and it is still  4 standing there and it doesn't go anywhere and  5 it's a waste of money and it's an eyesore.  6 Now, I don't think a sidewalk  7 just sitting there would be an eyesore, but I  8 think I'd like to walk down in the summer, in  9 the fall, whenever it may be, and see if there  10 is really a need for a sidewalk. That's my  11 opinion.  12 MR. SCHINDLER: You bring  13 up a good point. If something isn't going to  14 go in for a couple of years, forcing them to  15 do it now in a couple years that sidewalk will  16 be deteriorated and it would have to be  17 replaced. You never know realistically.  18 THE CHAIR: I think there  19 is a couple things that are important to bring  20 up on that regard. Number one, that provision  21 is in the zoning resolution. They were  22 supposed to build a sidewalk. It should have  23 been built, period. End of story. But we  24 thought that it might be -- like you just  25 said, it was kind of a sidewalk to nowhere.</p>	<p style="text-align: right;">Page 76</p> <p>1 the creamery isn't going to be -- it's not a  2 drive-through only. You are going to be  3 parking there. There is going to be kids.  4 You are going to have baseball teams after  5 baseball teams after the games are over and  6 people are going to bring their kids up there,  7 kids running around. I think a sidewalk makes  8 a lot more sense in that regard from a public  9 safety standpoint aside from the fact that  10 there is other developments that are starting  11 to go in and things like that.  12 MR. REPPERT: Do we have  13 sidewalks across the street?  14 MR. IAFELICE: Uh-huh.  15 THE CHAIR: I mean, that  16 really wasn't supposed to be a matter of  17 conversation. We basically allowed -- we  18 dropped that requirement when we approved  19 their plan to put the preliminary plan to put  20 this in. And there was some conversation  21 about that. I think Rich Iafelice was very  22 opposed to moving forward, allowing the  23 project to go forward without building the  24 sidewalks, but we decided to forego that.  25 That's the reason. That's what necessitated</p>
<p style="text-align: right;">Page 75</p> <p>1 However, now you've got to  2 keep in mind Victor just got his approval on  3 his site plan which is directly across the  4 street, and it's supposed to be a retail  5 and/or business facility, right? There is  6 going to be traffic. There's going to be  7 parking. There is going to be people there.  8 There is going to be traffic going from, I  9 would have to assume knowing that there is a  10 car wash right there and a creamery, I would  11 assume that there is probably going to be  12 people that are in that building at lunchtime  13 and/or after work. They maybe want to go and  14 get an ice cream and there's no sidewalks.  15 And this is happening. This isn't like you  16 said. If this was in a remote area and it was  17 3, 5, 7, 10 years before anything next door or  18 across the street or whatever were coming, I  19 would probably tend to agree. But now that we  20 have given the green light to Mr. Victor and  21 his development, his project to go forward  22 that's directly across the street, there's  23 going to be sidewalks, there's going to be  24 parking over there. I think it's more for a  25 public safety issue. You have to remember,</p>	<p style="text-align: right;">Page 77</p> <p>1 this agreement to be put together.  2 MR. REPPERT: It wasn't  3 going to be built, was it?  4 MR. IAFELICE: My objection  5 was similar to objecting to the gas station.  6 There is a master plan. It's been planned  7 out. There has been a lot of investment by  8 the township in that whole sector, that core  9 of the capital district. And to honor that,  10 yes, in present tense I agree. People aren't  11 walking today, but the plan calls for  12 pedestrian. That was the vision. And, for  13 me, honoring a plan and honoring the  14 investment the township has given and the  15 study and time and the money they put into  16 that, I agree with it, and we should honor the  17 master plan. That master plan called for a  18 pedestrian access throughout that area. I  19 objected to not having a sidewalk in then. I  20 still object to not having it now. It should  21 have been put in under the approval because it  22 honors the plan. As other properties begin to  23 develop, let alone the mixed use we are now  24 getting. There is retail across the street, a  25 gas station, and all these things are</p>

<p style="text-align: right;">Page 78</p> <p>1 happening now. So we should honor that plan.  2 It makes lot of sense for us. We don't have  3 it anywhere else. We don't have that  4 opportunity anywhere else in Concord to have  5 that, that street scene, people coming around.  6 It's a vision I think the township has and we  7 should honor it.  8 MR. PETERSON: If you look  9 at the map, though, Victor's development is  10 really nowhere near the entrance to the ice  11 cream store. He might have a little sidewalk  12 here, but there is going to be a gap of 300  13 feet before you get up to the ice cream store  14 entrance.  15 MR. IAFELICE: I'm talking  16 about the plan for all of these properties  17 being developed.  18 MR. PETERSON: Can't we  19 look at that two years down the road and see  20 how it's developed before we put a burden on a  21 brand-new business that's trying to make it a  22 success? Do you know how much ice cream you  23 have to sell to pay for that sidewalk?  24 MR. IAFELICE: I'm not  25 worried about the cost. That's for sure.</p>	<p style="text-align: right;">Page 80</p> <p>1 developed in two years.  2 MR. SCHINDLER: That's true  3 too.  4 MR. PETERSON: What do we  5 lose by not having it? They have a giant  6 patio outside for outside events and it's way  7 back from the street.  8 MR. SCHINDLER: That's  9 true.  10 THE CHAIR: Any more  11 comments?  12 MR. REPPERT: No.  13 THE CHAIR: Frank, any  14 further comment?  15 MR. SCHINDLER: No,  16 Mr. Chairman.  17 THE CHAIR: Mr. Peterson?  18 MR. PETERSON: I'm good.  19 THE CHAIR: Mr. Iafelice?  20 MR. IAFELICE: I'm good.  21 THE CHAIR: Okay. So what  22 do we want to do?  23 MR. IAFELICE: I will make  24 a motion to enforce the requirement of the  25 sidewalk per the agreement dated April the</p>
<p style="text-align: right;">Page 79</p> <p>1 This was a requirement and we let it out. We  2 let them out. We should put it in, put it in  3 now. It's the perfect time before everything  4 is gone and then the objection to come in will  5 be even more onerous coming from us.  6 MR. SCHINDLER: I agree  7 with you. It's based on easy access from  8 everyone, and sidewalks, of course, would  9 definitely do that, and would bring a  10 cohesiveness of that whole development  11 together. I understand where you are coming  12 from. We are supposed to be looking down to  13 the future, and the future calls for use of  14 the township and the residents easy  15 accessibility to everything. So I agree.  16 MR. PETERSON: I looked at  17 Crile Road has all of these crosswalks with  18 walk, don't walk. I have never seen anybody  19 cross at any of those intersections via Auburn  20 Road or be it down in Capital Parkway. It's  21 just they are there and they go nowhere. And  22 I think it's really an unfair burden at this  23 point in time. And we have two years. In two  24 years we will still have 18 months in the  25 agreement and we will see what they have</p>	<p style="text-align: right;">Page 81</p> <p>1 4th, 2023 upon the IN9 Group, LLC.  2 THE CHAIR: Okay. I have a  3 motion made. Can I get a second?  4 MR. SCHINDLER: I second,  5 Mr. Chairman.  6 THE CHAIR: Motion made and  7 seconded. Heather, call the vote for me,  8 motion made and seconded, to enforce the  9 motion made as to enforce the agreement that  10 was set up April 4th, 2023 between the Concord  11 Township zoning Commission and the IN9 Group,  12 LLC.  13 MS. FREEMAN: Do you want  14 to have any discussion?  15 MR. IAFELICE: At this time  16 I think should have been added. At this time.  17 The motion should be at this time.  18 THE CHAIR: Right. So  19 motion made to at this time to enforce the  20 agreement, and it was seconded by Frank.  21 Frank, are you still good with your second?  22 MR. SCHINDLER: I second.  23 THE CHAIR: Heather, call  24 the roll.  25 MS. FREEMAN: Mr. Iafelice.</p>

<p style="text-align: right;">Page 82</p> <p>1 MR. IAFELICE: Yes.</p> <p>2 MS. FREEMAN: Mr. Peterson.</p> <p>3 MR. PETERSON: No.</p> <p>4 MS. FREEMAN: Mr. Reppert.</p> <p>5 MR. REPERT: No.</p> <p>6 MS. FREEMAN: Mr. Lingenfelter.</p> <p>7 MR. LINGENFELTER: Yes.</p> <p>8 MS. FREEMAN: Mr. Schindler.</p> <p>9 MR. SCHINDLER: Yes.</p> <p>10 THE CHAIR: Okay. Let the</p> <p>11 record reflect we have three ayes and two nay</p> <p>12 for the review and the discussion of the</p> <p>13 agreement and so the agreement will be</p> <p>14 enforced.</p> <p>15 MR. REPERT: Who is going</p> <p>16 to tell them?</p> <p>17 THE CHAIR: Heather.</p> <p>18 MR. REPERT: No problem.</p> <p>19 I'm just asking.</p> <p>20 THE CHAIR: I think it's a</p> <p>21 good question. Who would do that, Heather, do</p> <p>22 you know? Would that be me?</p> <p>23 MS. FREEMAN: Seeing that</p> <p>24 I'm the secretary of this board, I would</p> <p>25 likely need to reach out to let them know.</p>	<p style="text-align: right;">Page 84</p> <p>1 shall be either hand delivered or delivered by</p> <p>2 a nationally accepted overnight carrier or</p> <p>3 mail certified postage prepaid or overnight</p> <p>4 carrier to the parties at their respective</p> <p>5 addresses as follows. Then we have Concord</p> <p>6 Township and then we have IN9 Group, LLC. So</p> <p>7 we have to make sure that they receive the</p> <p>8 notification in writing what's been done and</p> <p>9 what the outcome of this conversation was</p> <p>10 tonight.</p> <p>11 MR. REPERT: And it's</p> <p>12 going to go around the fire hydrant?</p> <p>13 MS. FREEMAN: Well, the</p> <p>14 design is subject to the discussion between</p> <p>15 this board and IN9, yeah, how it's going to</p> <p>16 work.</p> <p>17 THE CHAIR: So, Heather, if</p> <p>18 you are unsure on the communication, feel free</p> <p>19 to call me.</p> <p>20 MS. FREEMAN: Okay, yeah.</p> <p>21 THE CHAIR: If you want me</p> <p>22 to do it, you want me to talk to them or</p> <p>23 whatever.</p> <p>24 MS. FREEMAN: Oh, no. I</p> <p>25 will prepare something to be mailed out</p>
<p style="text-align: right;">Page 83</p> <p>1 There will be, obviously, some conversation</p> <p>2 between this board and IN9 regarding time</p> <p>3 frame and things like that. Specific design</p> <p>4 and everything all has to be agreed to between</p> <p>5 both parties. I do want to remind everybody,</p> <p>6 as well, that Crile Road is a county road so</p> <p>7 we are going to have to navigate this with the</p> <p>8 county engineer. So timing and all of this</p> <p>9 could reasonably go into next year so</p> <p>10 expectation-wise, really, it still could be a</p> <p>11 year out or something. We are going to have a</p> <p>12 new county engineer in 2025, so we have to get</p> <p>13 familiar with him as well.</p> <p>14 MR. REPERT: I just</p> <p>15 thought I'd ask.</p> <p>16 MR. SCHINDLER: I can reach</p> <p>17 out to IN9 as to the decision to go forth.</p> <p>18 What you are stating will still give time down</p> <p>19 the road, but what we've done tonight is we</p> <p>20 want it to be done. Start the ball rolling.</p> <p>21 THE CHAIR: In looking at</p> <p>22 the agreement, there is in what would be in</p> <p>23 Section No. 2, notices. It says all notices,</p> <p>24 demands or other communication given under</p> <p>25 this agreement shall be in writing, and it</p>	<p style="text-align: right;">Page 85</p> <p>1 certified, but I'm happy to -- you may need to</p> <p>2 sign it or something like that.</p> <p>3 THE CHAIR: Sure, yeah.</p> <p>4 MS. FREEMAN: I will touch</p> <p>5 base with you regarding that.</p> <p>6 THE CHAIR: Even though I</p> <p>7 wasn't chairman when this came to be, I'm</p> <p>8 chairman now and it's with the Zoning</p> <p>9 Commission, so if I have to be involved,</p> <p>10 obviously, I will be more than glad to take</p> <p>11 care of that. Whatever it is I need to do if</p> <p>12 I need to do anything.</p> <p>13 MS. FREEMAN: Okay.</p> <p>14 THE CHAIR: So that</p> <p>15 concludes the new business for this evening</p> <p>16 and now I would like to move onto old business</p> <p>17 which is a work session to review proposed</p> <p>18 zoning text amendments as outlined in the memo</p> <p>19 dated July 30th, 2024 for modifications to</p> <p>20 district uses.</p> <p>21 MR. SCHINDLER: I would just</p> <p>22 like to make a motion. Can we table this</p> <p>23 until our next meeting?</p> <p>24 THE CHAIR: You want to</p> <p>25 table this? Come on. I was just getting</p>

<p style="text-align: right;">Page 86</p> <p>1 ready to get rolling.</p> <p>2 MR. SCHINDLER: Well, I</p> <p>3 have something coming up tonight that I'd like</p> <p>4 to be available for.</p> <p>5 THE CHAIR: Sure.</p> <p>6 Absolutely no problem. So with that, our next</p> <p>7 Zoning Commission hearing is going to be</p> <p>8 November 5th, Election Day. Election Day, big</p> <p>9 day.</p> <p>10 Speaking of Election Day, I</p> <p>11 would love to encourage all of the residents</p> <p>12 of Concord to go out and vote and vote yes for</p> <p>13 our fire levy. We need support. We need that</p> <p>14 levy passed and I sure hope it passes with</p> <p>15 flying colors. No questions asked. I know</p> <p>16 the trustees right now are stressing big time</p> <p>17 with getting this levy passed. They are</p> <p>18 really nervous. And this has an impact on</p> <p>19 everybody, folks. It really does. And it's</p> <p>20 going to be a real shame if it doesn't pass.</p> <p>21 It will be a real shame. And then the end</p> <p>22 results will be seen and I am afraid that what</p> <p>23 people see is not going to be good and they</p> <p>24 are going to be disappointed. You only get to</p> <p>25 vote once. So let's hope that everybody gets</p>	<p style="text-align: right;">Page 88</p> <p>1 The State of Ohio, ) CERTIFICATE</p> <p>2 County of Cuyahoga. )</p> <p>3 I, Lisa A. Stropko, Court Reporter</p> <p>4 and Notary Public within and for the State of</p> <p>5 Ohio, duly commissioned and qualified, do</p> <p>6 hereby certify that the foregoing is a true,</p> <p>7 correct and complete transcript of my</p> <p>8 stenotype notes to the best of my ability,</p> <p>9 which were taken at the time and place in the</p> <p>10 foregoing caption specified.</p> <p>11 I do further certify that I am not a</p> <p>12 relative or counsel of either party, or</p> <p>13 otherwise interested in the event of this</p> <p>14 action.</p> <p>15</p> <p>16</p> <p>17 <u>Lisa A. Stropko, Notary Public</u></p> <p>18 In and for the State of Ohio.</p> <p>19 My commission expires March 23, 2028</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 87</p> <p>1 out and supports that levy for us. We really</p> <p>2 need this to go through for the betterment of</p> <p>3 the community. I think it's very important.</p> <p>4 Normally I don't make comments or statements</p> <p>5 from this status on political issues, but for</p> <p>6 the levy for this township I think it's</p> <p>7 important that everybody knows we need to get</p> <p>8 that thing passed. Okay.</p> <p>9 MR. IAFELICE: Mr. Chairman,</p> <p>10 I will not be here November 5th.</p> <p>11 MR. PETERSON: Nor will I.</p> <p>12 THE CHAIR: Thankfully, we</p> <p>13 have two alternates now. Very capable, by the</p> <p>14 way so you better watch. Don't miss too many</p> <p>15 because you know what happens.</p> <p>16 MR. REPPERT: I was</p> <p>17 worried.</p> <p>18 THE CHAIR: He didn't want</p> <p>19 to be here for that. He drug himself here</p> <p>20 because he knew that he was on the verge. He</p> <p>21 was under double secret probation.</p> <p>22 Okay. The next Zoning</p> <p>23 Commission meeting will be November 5th. This</p> <p>24 meeting is adjourned. Have a nice evening.</p> <p>25 (Meeting Adjourned 8:45 P.M.)</p>	

	26:25;27:18;30:3	<b>affected (1)</b> 39:2	2:22;3:1,6,24;4:9; 6:4;9:22;12:17;26:15, 24;27:8;30:10;46:3; 50:18,21;51:2,3;58:18, 25;59:3,5,21,22;60:11, 16,20,21;61:17,22; 64:18,21,25;65:6,11, 19;66:8,13,15;67:17, 19,21;68:14;69:11,12	<b>approving (2)</b> 60:9;64:25 <b>April (2)</b> 80:25;81:10 <b>Architectural (1)</b> 29:8 <b>area (17)</b> 3:14,17;13:20;21:11, 15;23:12;32:7,12,16; 48:25;49:1,21;68:4,8; 71:5;75:16;77:18 <b>around (12)</b> 11:21;12:9,12;15:11, 13;16:22;28:19;35:22; 56:14;76:7;78:5;84:12 <b>arrive (1)</b> 20:12 <b>arrived (1)</b> 41:3 <b>aside (1)</b> 76:9 <b>aspect (1)</b> 47:18 <b>assume (2)</b> 75:9,11 <b>assuming (2)</b> 12:22;33:5 <b>attached (20)</b> 3:15;4:25;15:12; 17:4,5;32:20;33:4; 39:8;47:5,7,9,10;48:18, 19;49:1,19;50:23; 62:15;63:4;68:6 <b>attacked (1)</b> 8:24 <b>attempt (1)</b> 15:25 <b>attend (1)</b> 57:8 <b>attention (3)</b> 8:23;39:1;51:15 <b>Auburn (1)</b> 79:19 <b>audience (5)</b> 5:23;25:9;27:23; 45:14;55:21 <b>authority (3)</b> 13:16,17,23 <b>available (3)</b> 18:22;47:17;86:4 <b>aware (3)</b> 8:20;38:21;57:7 <b>away (2)</b> 22:10;31:2 <b>ayes (4)</b> 64:17;67:18;69:10; 82:11
<b>#</b>	<b>acres (21)</b> 3:12;13:18,23;14:1, 10;17:8,10,20;21:21, 22;22:1,25;24:2;27:16; 31:4,7,13;32:25;33:22; 36:7;68:2 <b>across (6)</b> 73:24;75:3,18,22; 76:13;77:24 <b>action (1)</b> 42:5 <b>actual (1)</b> 4:4 <b>actually (1)</b> 44:19 <b>Add (14)</b> 3:8,11,14;15:15; 29:24;48:17;50:22; 51:5;67:24;68:1,5; 71:3;73:15,25 <b>added (3)</b> 60:2;61:10;81:16 <b>adding (5)</b> 16:6;60:12;61:5; 62:15,16 <b>addition (4)</b> 35:18;39:5;61:5,24 <b>additional (4)</b> 32:5;46:22;51:24; 73:15 <b>additions (3)</b> 4:21;31:14;62:17 <b>address (26)</b> 5:20,24;6:24;7:1,15; 8:6,9,16;9:2,4,14; 10:16;14:25;19:12; 28:13,23;29:11,14; 39:17,22,24;42:24; 48:5,13;56:3,4 <b>addressed (4)</b> 21:6,8;29:3;42:3 <b>addresses (1)</b> 84:5 <b>adjacent (2)</b> 72:24,25 <b>adjoining (1)</b> 34:12 <b>adjourned (2)</b> 87:24,25 <b>adjusted (1)</b> 16:11 <b>adjustments (4)</b> 18:13;37:17;38:12; 44:4 <b>adversely (1)</b> 39:2 <b>aesthetically (1)</b> 29:11 <b>aesthetics (7)</b> 11:25;16:10;19:19; 34:10;35:17;36:1; 51:21	<b>affirmative (2)</b> 58:19;59:11 <b>afraid (1)</b> 86:22 <b>again (9)</b> 7:19;19:13;27:8; 31:19;34:20;43:16; 59:23;61:7;66:6 <b>against (7)</b> 6:19;7:9;10:14;15:4; 25:10;28:6;56:9 <b>agenda (11)</b> 2:5,18;41:4,21; 52:24;53:3,3;55:19,23; 58:11;69:21 <b>ago (1)</b> 21:25 <b>agree (12)</b> 11:22;16:10,14;17:6; 24:25;52:12,14;75:19; 77:10,16;79:6,15 <b>agreed (2)</b> 9:8;83:4 <b>agreement (18)</b> 19:16;34:13;69:23; 70:21;71:7,12;72:17; 73:6,9;77:1;79:25; 80:25;81:9,20;82:13, 13;83:22,25 <b>agricultural (12)</b> 12:24,25;13:8,12,13, 17;14:1,3,5;24:6,7; 31:20 <b>agriculture (1)</b> 12:22 <b>ahead (1)</b> 7:5 <b>air (1)</b> 20:13 <b>allow (3)</b> 33:16;40:18;46:14 <b>allowed (4)</b> 21:16;39:5,12;76:17 <b>allowing (1)</b> 76:22 <b>almost (1)</b> 56:19 <b>alone (1)</b> 77:23 <b>along (3)</b> 6:6;22:10;30:21 <b>altered (1)</b> 65:5 <b>alternates (1)</b> 87:13 <b>alternative (1)</b> 28:22 <b>always (5)</b> 10:23;18:21,22; 34:22;42:20 <b>Amendment (44)</b>	<b>amendments (21)</b> 2:19;3:23;6:1,9; 8:12;9:13;10:5;25:10; 29:4;30:5,22;38:10; 48:2,4;50:9,10,14; 56:7;58:12,17;85:18 <b>amount (3)</b> 10:24;23:15;24:17 <b>and/or (2)</b> 75:5,13 <b>Andy (2)</b> 36:25;44:11 <b>animal (1)</b> 26:22 <b>animals (3)</b> 11:16;22:6,15 <b>announce (1)</b> 38:2 <b>apologize (1)</b> 6:20 <b>appeal (1)</b> 28:18 <b>Appeals (3)</b> 28:12,15;57:1 <b>appear (1)</b> 35:25 <b>appears (1)</b> 49:17 <b>apple (1)</b> 38:4 <b>applicant (1)</b> 34:13 <b>appointment (2)</b> 18:8,24 <b>appreciate (10)</b> 9:19;14:18;19:10; 25:8;30:2;36:25;43:20; 44:5;45:9;69:20 <b>appreciative (1)</b> 8:23 <b>approach (2)</b> 3:23;19:7 <b>approaching (1)</b> 4:9 <b>appropriate (4)</b> 34:6,8;50:13;54:20 <b>approval (4)</b> 50:15;53:4;75:2; 77:21 <b>approve (5)</b> 37:16;50:21;58:12; 65:19;68:14 <b>approved (3)</b> 34:15;67:19;76:18	<b>B</b> <b>back (8)</b> 8:7;15:15;17:16; 30:4;34:24;36:19;



41:15;80:7 <b>background (2)</b> 4:14,17 <b>backyard (1)</b> 36:16 <b>balance (1)</b> 36:21 <b>ball (1)</b> 83:20 <b>barn (9)</b> 14:9;17:4,17;21:16; 22:3,8;31:22,22;36:18 <b>base (1)</b> 85:5 <b>baseball (2)</b> 76:4,5 <b>based (3)</b> 7:10;37:3;79:7 <b>basically (3)</b> 33:21;71:8;76:17 <b>battle (1)</b> 38:18 <b>beautiful (4)</b> 21:25;72:10;73:14, 15 <b>bed (1)</b> 15:17 <b>bedrooms (1)</b> 25:22 <b>begin (1)</b> 77:22 <b>behind (3)</b> 9:20;56:22;57:18 <b>Bell (1)</b> 54:11 <b>belongs (1)</b> 35:20 <b>benefit (1)</b> 33:3 <b>best (5)</b> 18:20;19:7;29:13; 36:5;43:11 <b>better (9)</b> 3:22;7:19;16:21,22; 47:10;55:18;66:22; 71:3;87:14 <b>betterment (1)</b> 87:2 <b>beyond (1)</b> 72:14 <b>bicycles (1)</b> 26:7 <b>big (9)</b> 7:13;12:10;19:17; 23:1,2;27:3;71:20; 86:8,16 <b>bigger (1)</b> 14:13 <b>bike (1)</b> 72:22 <b>bit (4)</b> 11:15;17:7;33:2; 70:23	<b>bite (1)</b> 38:4 <b>blends (1)</b> 19:20 <b>blindsided (1)</b> 57:7 <b>board (23)</b> 5:20,22;7:25;8:6,10, 24;9:16;28:4,11,14,19; 29:8;31:11;37:2;42:24; 44:9;51:25;52:20;56:8; 57:1;82:24;83:2;84:15 <b>board's (2)</b> 8:22;55:11 <b>body (1)</b> 45:20 <b>books (2)</b> 5:6;40:16 <b>both (5)</b> 3:4;28:5;56:22; 65:23;83:5 <b>brand-new (1)</b> 78:21 <b>break (1)</b> 39:10 <b>breath (1)</b> 43:3 <b>breezeway (9)</b> 2:25;46:21;48:25; 59:9;60:2,25;62:17,18, 21 <b>Bridey (1)</b> 70:2 <b>Bridey's (2)</b> 70:13,15 <b>bridge (1)</b> 74:3 <b>bring (8)</b> 18:3;43:24;52:21; 56:25;74:12,19;76:6; 79:9 <b>bringing (1)</b> 44:25 <b>brought (5)</b> 8:21;28:7;32:9;39:1; 51:14 <b>build (17)</b> 11:9,10;12:19;14:4, 9;15:6;26:13;27:2; 32:16,18;33:6,16,17; 35:9;56:17;72:14; 74:22 <b>building (76)</b> 2:24;3:10,16,18; 11:7,12,17,24;12:6,15, 22,24;13:1,14;14:1,3,4; 16:10,12;17:22;19:19, 24,25;20:1,2,3,4,7; 21:4,5;23:23;24:19,22, 25;25:18,20;26:11,13; 34:5;35:19;36:16;39:7, 20;40:19;46:10,12,16; 48:8,9,18,18,23;49:4,5,	9,12,20,22;50:23,24; 51:11;54:6;56:17;59:7; 62:15;63:3,4,4,8;68:1, 6,9;71:22;72:10;75:12; 76:23 <b>buildings (25)</b> 3:8,9,13,20;5:1; 11:20;19:16,23,24; 21:4,9;23:16,20;24:20; 30:12;31:15,18,19; 33:24;40:3,15;67:23, 25;68:3,11 <b>built (10)</b> 7:12;11:9;12:5;22:3; 39:20;51:17;70:25; 71:10;74:23;77:3 <b>Bullet (8)</b> 46:8,20;47:1,13; 48:14,17;49:3,7 <b>burden (2)</b> 78:20;79:22 <b>burning (1)</b> 55:21 <b>buses (1)</b> 40:5 <b>business (9)</b> 52:23,25;58:11; 69:22;73:10;75:5; 78:21;85:15,16 <b>butt (1)</b> 57:3 <b>buy (1)</b> 14:9 <b>buying (2)</b> 25:25;29:2 <b>BZA (4)</b> 34:4,9,17;46:17	36:5;37:18;38:12; 43:20;48:21;54:18,24; 55:6;60:7;70:4,5,16; 81:3;83:16;85:22 <b>capable (1)</b> 87:13 <b>capital (2)</b> 77:9;79:20 <b>car (4)</b> 36:15;54:2;72:11; 75:10 <b>care (2)</b> 12:19;85:11 <b>Carmen (2)</b> 10:17;25:15 <b>carrier (2)</b> 84:2,4 <b>carries (1)</b> 23:3 <b>carry (1)</b> 70:8 <b>carved (1)</b> 41:22 <b>case (1)</b> 16:4 <b>cases (1)</b> 5:3 <b>cash (1)</b> 72:13 <b>catch (1)</b> 8:2 <b>catching (1)</b> 45:9 <b>cents (1)</b> 17:25 <b>certain (4)</b> 11:2;13:9,21;24:11 <b>certainly (7)</b> 7:24;8:9;9:6,17; 18:14;42:14;45:21 <b>certified (2)</b> 84:3;85:1 <b>CHAIR (104)</b> 2:1;4:8,12;5:14;6:21, 25;7:4,22;9:18;10:15, 19;13:3,5,10;14:17,22, 24;17:8,11;18:2;19:2, 6,9;20:5,14;23:5,11,22; 24:5;25:7,14;27:22; 29:18,21,25;30:17; 34:22;35:2;37:1;41:11; 44:14,20;45:3,15;50:5, 16;51:24;52:3,5,11,18; 53:8,13,16,19,22;54:9; 55:16;56:2;57:25; 58:10;59:16;63:20; 64:1,16;65:1,12,15,20; 66:2,5,16,22;67:1,16; 68:17,21;69:9;70:9; 71:15;74:18;76:15; 80:10,13,17,19,21; 81:2,6,18,23;82:10,17, 20;83:21;84:17,21;	85:3,6,14,24;86:5; 87:12,18 <b>Chairman (23)</b> 28:10;29:24;30:15; 34:20;42:18;44:23; 50:1;52:2,14;53:12,15; 59:13,19;64:23;65:18; 66:1;68:13;73:17; 80:16;81:5;85:7,8;87:9 <b>champion (1)</b> 22:6 <b>chance (2)</b> 38:5;73:10 <b>change (5)</b> 24:9;26:24;47:11; 55:14;60:15 <b>changed (6)</b> 9:13;10:21;17:3,7; 31:12;61:9 <b>changes (10)</b> 7:15;29:17;30:22; 38:10,11;43:25;46:6; 50:6;51:1;61:22 <b>check (1)</b> 18:21 <b>Chris (1)</b> 8:17 <b>circumstances (2)</b> 13:9;34:3 <b>city (1)</b> 22:14 <b>clarification (3)</b> 11:6;34:21;70:12 <b>clarified (3)</b> 10:25;14:7;26:23 <b>clarify (9)</b> 3:3;21:13;25:12,17; 27:6;32:4;50:2;61:15; 65:22 <b>Clarifying (1)</b> 59:19 <b>class (2)</b> 72:11,12 <b>cleaner (1)</b> 4:6 <b>close (8)</b> 10:24;22:13;28:3; 39:25;44:24;45:4,7; 52:22 <b>closed (3)</b> 45:2,5;52:21 <b>closer (2)</b> 33:14;51:22 <b>Code (3)</b> 13:22;31:24;46:23 <b>cohesiveness (1)</b> 79:10 <b>colors (1)</b> 86:15 <b>combination (2)</b> 60:10,10 <b>combine (1)</b> 47:16
		<b>C</b>		
		<b>CAIMI (9)</b> 10:17,17,20;13:4,11, 25;25:11,15,16 <b>call (16)</b> 2:2,6;17:5;18:8,23; 23:7;47:19;58:20; 61:22;64:4;67:5;68:23; 71:10;81:7,23;84:19 <b>called (1)</b> 77:17 <b>calls (2)</b> 77:11;79:13 <b>came (8)</b> 6:17;20:24;31:21; 35:15;40:17;42:2;56:6; 85:7 <b>can (41)</b> 3:25;4:5;5:7;6:5,14; 8:9;13:8,22;14:23; 16:3;17:2;18:13,15,17; 24:19,24;25:3;26:4,11; 29:13;30:23;32:19; 33:24;34:4,16;35:16;		

<b>combined (7)</b> 3:13;20:11;21:9; 25:24;27:9;31:15;68:4	40:18;41:1	<b>contemplating (1)</b> 61:12	<b>Dan (6)</b> 6:20;7:2;9:9,10; 19:14	<b>desk (1)</b> 69:17
<b>comfortable (1)</b> 70:3	<b>concern (2)</b> 4:20;16:7	<b>control (1)</b> 37:19	<b>data (1)</b> 7:17	<b>detached (20)</b> 3:12,15,20;30:11; 31:14;32:21;33:5;47:4, 10;49:4,5,19;50:24; 51:10,17;63:4,8;68:3,6, 11
<b>coming (9)</b> 15:22;38:20;43:21; 44:5;75:18;78:5;79:5, 11;86:3	<b>concerned (6)</b> 8:25;9:15;26:16; 27:20;38:25;46:9	<b>conversation (5)</b> 70:18;76:17,20;83:1; 84:9	<b>dated (3)</b> 47:24;80:25;85:19	<b>deteriorated (1)</b> 74:16
<b>comment (13)</b> 14:21;19:18;25:12; 29:17;41:22;42:3; 43:14;44:10;52:15; 56:1;58:1;66:17;80:14	<b>concerns (5)</b> 38:6;39:15;48:5,14; 57:9	<b>conversations (1)</b> 20:15	<b>David (1)</b> 47:20	<b>determine (1)</b> 31:10
<b>comments (30)</b> 5:17,21,22;6:3,11; 9:19;10:6;14:18;19:11, 11;25:6,9;27:23;28:5, 8;29:22;37:3;38:22; 42:15;43:17,22,23; 44:9;45:22;51:25; 52:19;55:20;65:16; 80:11;87:4	<b>concludes (1)</b> 85:15	<b>core (1)</b> 77:8	<b>day (7)</b> 17:5;54:10;69:17; 86:8,8,9,10	<b>develop (1)</b> 77:23
<b>commercial (2)</b> 19:16;49:13	<b>Concord (25)</b> 2:2,19;7:18;8:18; 11:12;14:10,13;22:19; 25:16;26:17;28:11; 29:7;32:10;33:16; 35:24;36:15;46:13; 47:2;55:13;58:13; 69:24;78:4;81:10;84:5; 86:12	<b>corrected (1)</b> 66:21	<b>deal (1)</b> 39:19	<b>developable (1)</b> 36:9
<b>Commission (23)</b> 2:3,21;4:18;42:7,19; 44:12,17;45:17,25; 46:1,5,9;47:21,24; 48:1;58:15;66:7,18; 69:15;81:11;85:9;86:7; 87:23	<b>conditional (2)</b> 3:3;65:23	<b>Correspondence (1)</b> 53:9	<b>dealing (1)</b> 59:5	<b>developed (4)</b> 73:25;78:17,20;80:1
<b>commissions (1)</b> 41:19	<b>concrete (1)</b> 18:6	<b>Counselor (1)</b> 3:21	<b>Dear (1)</b> 45:25	<b>developers (1)</b> 55:14
<b>common (2)</b> 23:8;48:20	<b>conditions (1)</b> 72:16	<b>County (14)</b> 44:12,17;45:16,24; 46:1,4,9;47:21,25; 52:8;66:17;83:6,8,12	<b>decent (1)</b> 23:13	<b>development (4)</b> 24:1;75:21;78:9; 79:10
<b>communication (2)</b> 83:24;84:18	<b>conflict (2)</b> 70:7,17	<b>couple (6)</b> 5:10;26:7;35:4; 74:14,15,19	<b>decide (3)</b> 44:2;54:18;71:9	<b>developments (2)</b> 26:18;76:10
<b>community (12)</b> 11:13,14;16:9,21; 22:13;23:25;28:24; 36:11,22;43:10;72:10; 87:3	<b>confused (4)</b> 30:2,6;62:13,24	<b>course (2)</b> 28:13;79:8	<b>decided (2)</b> 31:11;76:24	<b>devices (1)</b> 43:7
<b>community's (1)</b> 43:11	<b>confusion (1)</b> 64:24	<b>covered (1)</b> 66:10	<b>decision (12)</b> 4:1;37:9,16,18,19; 38:13,16;40:17;43:9; 44:3;57:6;83:17	<b>dictate (1)</b> 29:8
<b>company (1)</b> 54:6	<b>connect (1)</b> 73:1	<b>covers (1)</b> 66:9	<b>decorum (1)</b> 43:1	<b>difference (1)</b> 16:5
<b>complete (1)</b> 3:24	<b>connected (1)</b> 48:23	<b>cows (1)</b> 17:18	<b>deeper (1)</b> 16:3	<b>different (13)</b> 3:23;6:5;9:13;19:25; 20:7;26:22;32:14;41:7; 54:25;58:16;61:6; 63:16;72:5
<b>completed (2)</b> 72:2,3	<b>connections (2)</b> 72:23,25	<b>crafted (1)</b> 55:4	<b>deficiency (1)</b> 39:23	<b>diligently (1)</b> 8:25
<b>completely (4)</b> 15:4;22:22;26:16; 37:18	<b>connects (1)</b> 17:15	<b>cream (5)</b> 73:4;75:14;78:11,13, 22	<b>define (1)</b> 47:10	<b>direct (1)</b> 5:21
<b>completing (1)</b> 71:1	<b>cons (1)</b> 54:25	<b>creamery (4)</b> 54:5;72:12;75:10; 76:1	<b>defining (1)</b> 46:25	<b>direction (2)</b> 18:15;36:11
<b>completion (1)</b> 70:22	<b>consensus (1)</b> 43:8	<b>creativity (1)</b> 40:23	<b>definitely (2)</b> 41:12;79:9	<b>directly (3)</b> 48:21;75:3,22
<b>comply (1)</b> 71:11	<b>consequently (2)</b> 39:21;70:16	<b>Crile (8)</b> 54:3,3;69:25,25; 72:20;73:18;79:17; 83:6	<b>definition (16)</b> 2:23,25;20:2,7; 46:21;48:18;49:4,8; 50:22;59:7,8;60:4; 61:5;62:15,16,21	<b>Director (1)</b> 47:20
<b>component (1)</b> 50:8	<b>conservatory (1)</b> 57:21	<b>critique (1)</b> 9:15	<b>definitions (10)</b> 2:23;5:11;20:6; 48:16;50:20,24;59:6, 23;61:9,16	<b>dirt (1)</b> 71:20
<b>compromise (2)</b>	<b>consider (3)</b> 50:9;64:20;67:2	<b>cross (1)</b> 79:19	<b>delivered (2)</b> 84:1,1	<b>disagree (3)</b> 16:23;24:16;25:1
	<b>consideration (5)</b> 36:13;40:24;44:11; 45:19;46:2	<b>crosswalks (1)</b> 79:17	<b>demands (1)</b> 83:24	<b>disagreement (1)</b> 12:8
	<b>considerations (1)</b> 55:22	<b>cup (1)</b> 73:4	<b>densely (1)</b> 34:8	<b>disappointed (1)</b> 86:24
	<b>considered (1)</b> 20:3	<b>current (2)</b> 31:24;33:7	<b>deny (1)</b> 38:14	<b>discrepancies (1)</b> 45:18
	<b>considering (2)</b> 42:16;50:14	<b>cut (1)</b> 27:24	<b>depends (2)</b> 23:21;24:9	<b>discuss (3)</b> 4:19;37:12;69:23
	<b>consistency (1)</b> 40:2		<b>design (2)</b> 83:3;84:14	<b>discussed (2)</b> 40:13,13
	<b>construction (3)</b> 40:25;54:7;71:19	<b>D</b>	<b>designed (1)</b> 49:9	<b>discussing (1)</b> 41:7
				<b>discussion (12)</b>

20:16;28:4;31:8; 34:2;41:15;54:14; 59:19;66:4,25;81:14; 82:12;84:14 <b>discussions (3)</b> 20:22;41:24;54:22 <b>disgruntled (1)</b> 12:5 <b>district (5)</b> 24:10;51:9;55:3; 77:9;85:20 <b>districts (3)</b> 24:12,13;51:8 <b>dogs (1)</b> 22:15 <b>done (13)</b> 21:1;37:20,22;38:11; 71:1,24,25;72:1,9,14; 83:19,20;84:8 <b>door (1)</b> 75:17 <b>doors (1)</b> 17:14 <b>doorway (1)</b> 48:23 <b>double (1)</b> 87:21 <b>down (11)</b> 17:14,16,24;33:2; 72:20;73:18;74:8; 78:19;79:12,20;83:18 <b>draft (1)</b> 8:19 <b>drawn (1)</b> 71:8 <b>Drive (2)</b> 51:14;72:20 <b>drive-through (1)</b> 76:2 <b>dropped (1)</b> 76:18 <b>drug (1)</b> 87:19 <b>dually (1)</b> 15:17 <b>during (2)</b> 38:9;42:2 <b>dwelling (10)</b> 5:3;11:4;12:2;29:12; 48:19,21,22,23;49:6; 51:12 <b>dwellings (1)</b> 32:13 <b>dying (1)</b> 43:3	37:4 <b>effort (2)</b> 42:9;69:20 <b>either (6)</b> 20:19;25:9;37:16; 38:10;55:18;84:1 <b>Election (3)</b> 86:8,8,10 <b>eliminate (1)</b> 14:14 <b>else (8)</b> 5:23;9:20;19:11; 37:2;39:18,19;78:3,4 <b>empty (1)</b> 43:6 <b>encourage (1)</b> 86:11 <b>end (6)</b> 14:16;39:15;53:1; 59:2;74:23;86:21 <b>enforce (4)</b> 80:24;81:8,9,19 <b>enforced (1)</b> 82:14 <b>engineer (2)</b> 83:8,12 <b>enjoy (1)</b> 8:7 <b>enjoyed (1)</b> 22:22 <b>enter (1)</b> 45:8 <b>entertain (4)</b> 53:5;58:18;59:10; 67:20 <b>entire (1)</b> 38:15 <b>entrance (2)</b> 78:10,14 <b>envision (1)</b> 54:19 <b>equaling (1)</b> 15:13 <b>equipment (2)</b> 11:17;22:11 <b>erected (2)</b> 46:11;48:8 <b>especially (2)</b> 22:24;56:25 <b>essentially (1)</b> 17:7 <b>even (13)</b> 11:25;12:23;17:21; 21:20;26:21;32:2,23; 33:13,15;70:19;73:3; 79:5;85:6 <b>evening (11)</b> 2:1;7:24;28:5;37:5; 43:21;44:2;54:2;69:22; 70:10;85:15;87:24 <b>event (2)</b> 7:16;72:7 <b>events (1)</b>	80:6 <b>everybody (12)</b> 10:3;27:4,4,25; 40:10;43:18;57:7; 70:10;83:5;86:19,25; 87:7 <b>everyone (1)</b> 79:8 <b>exact (2)</b> 19:21;43:15 <b>example (1)</b> 35:6 <b>exceed (16)</b> 3:9,16,19;11:3; 21:11;24:20;26:10; 31:15;48:11;49:20,23; 51:6,12;67:25;68:7,9 <b>exceeds (1)</b> 21:17 <b>excellent (2)</b> 36:24;68:17 <b>excess (2)</b> 46:11;48:9 <b>excessive (1)</b> 22:23 <b>excluded (1)</b> 56:19 <b>excused (1)</b> 70:17 <b>exempt (1)</b> 31:20 <b>existence (1)</b> 30:4 <b>existing (8)</b> 20:20;30:23;39:9; 40:14;49:4,8;50:3,24 <b>expanding (1)</b> 15:25 <b>expectation-wise (1)</b> 83:10 <b>expense (1)</b> 73:15 <b>expensive (1)</b> 72:15 <b>explaining (1)</b> 45:11 <b>express (1)</b> 72:5 <b>extended (1)</b> 38:1 <b>external (1)</b> 21:9 <b>extra (1)</b> 40:3 <b>extraordinarily (1)</b> 39:6 <b>eyesore (3)</b> 16:25;74:5,7 <b>eyesores (1)</b> 23:2	<b>facilities (1)</b> 49:12 <b>facility (4)</b> 39:7;40:9,25;75:5 <b>fact (1)</b> 76:9 <b>factory (1)</b> 23:1 <b>fair (5)</b> 20:17;24:1;41:16; 43:9;73:16 <b>fairly (1)</b> 40:19 <b>fall (1)</b> 74:9 <b>falls (1)</b> 24:13 <b>familiar (1)</b> 83:13 <b>familiarity (1)</b> 8:19 <b>family (2)</b> 25:3;32:13 <b>far (12)</b> 8:25;9:15;12:6,24; 23:3;24:15;26:16; 27:19;29:14;31:3; 35:16;60:6 <b>farm (3)</b> 12:20,21,21 <b>father (1)</b> 22:9 <b>father-in-law (1)</b> 17:15 <b>favor (10)</b> 6:9,13,16;8:12;9:6, 17,22,25;10:3;12:17 <b>feasible (1)</b> 55:7 <b>feel (13)</b> 8:3;11:22;12:3; 23:18;29:3;38:17,24; 43:9,25;47:19;54:4; 70:3;84:18 <b>feet (30)</b> 3:14;10:23;11:1; 15:13;20:11;21:14,17; 22:2;23:8,12,14,17; 24:16,21;26:13;27:12; 31:6;32:17,19;33:25; 35:6,8;36:17;46:14,15; 51:8,9,13;68:5;78:13 <b>felt (7)</b> 39:16,16,21;40:15, 17;41:1,2 <b>few (2)</b> 50:19;55:5 <b>fiancee (1)</b> 17:17 <b>figure (2)</b> 10:13;34:10 <b>figured (1)</b> 69:19	<b>figures (1)</b> 31:9 <b>final (5)</b> 37:9;38:15;44:3; 45:20;67:21 <b>find (1)</b> 45:18 <b>fine (1)</b> 57:11 <b>finish (1)</b> 71:3 <b>fire (2)</b> 84:12;86:13 <b>firm (2)</b> 70:13,15 <b>first (24)</b> 2:4,17,21;5:16,20; 6:7;8:11,12,13;11:4; 18:21;25:19;26:1,12; 27:12;32:7,16;33:12; 35:6,8;47:5;72:11,12; 73:4 <b>fit (1)</b> 24:24 <b>five (14)</b> 13:18,23;14:1,9; 16:6;17:20;22:25; 41:10;42:7,11;64:17; 67:18;69:10;71:14 <b>flat (1)</b> 15:25 <b>floor (13)</b> 3:14;11:4;15:10; 25:19;26:12,12;27:12; 32:8,16;35:6,8;49:21; 68:4 <b>flooring (1)</b> 33:12 <b>floors (1)</b> 26:1 <b>fly (1)</b> 69:18 <b>flying (1)</b> 86:15 <b>folks (2)</b> 18:21;86:19 <b>follow (1)</b> 6:6 <b>following (3)</b> 2:18;46:6;48:3 <b>follows (8)</b> 2:23;3:8;48:7,16; 49:18;59:6;67:24;84:5 <b>foot (12)</b> 15:10;24:22;25:17, 24;26:4,14;27:5;32:20, 21,25;33:9;40:5 <b>footage (21)</b> 3:17;16:11,17;20:16; 21:5,7,10,11;24:17; 25:25;27:1,9,19;30:11; 31:16;32:7;33:21;35:5; 49:19,21;68:7
<b>E</b>				
<b>earlier (1)</b> 45:10 <b>easy (2)</b> 79:7,14 <b>edification (1)</b>			<b>F</b>	

<b>footages (3)</b> 3:19;40:13;68:10 <b>footage-wise (1)</b> 16:4 <b>force (1)</b> 73:2 <b>forcing (1)</b> 74:14 <b>forego (1)</b> 76:24 <b>formally (1)</b> 5:15 <b>formatting (1)</b> 49:17 <b>formulate (1)</b> 37:14 <b>forth (3)</b> 48:11;51:7;83:17 <b>forward (10)</b> 15:22;32:15;36:5; 41:3;55:23;56:20; 71:17;75:21;76:22,23 <b>Four (5)</b> 17:10,11;22:25;41:9; 56:19 <b>frame (1)</b> 83:3 <b>Frank (13)</b> 28:8;29:18;34:3; 35:18;51:25;53:10; 56:9;59:20;63:13;67:2; 80:13;81:20,21 <b>free (4)</b> 47:19;54:4;70:12; 84:18 <b>FREEMAN (56)</b> 2:7,9,11,13,15;4:16; 13:2,7,15;30:15,19; 32:3;34:1;41:9;45:25; 50:1,11,17;53:6,25; 54:11;61:3,11;62:3,23; 64:5,8,10,12,14;65:8, 14;66:12;67:6,8,10,12, 14;68:16,24;69:1,3,5,7; 81:13,25;82:2,4,6,8,23; 84:13,20,24;85:4,13 <b>frequent (1)</b> 54:4 <b>Friday (1)</b> 72:8 <b>friendly (2)</b> 57:14,16 <b>front (2)</b> 30:20;41:23 <b>full (6)</b> 4:1;7:1;8:15;10:16; 14:25;56:3 <b>furniture (1)</b> 26:7 <b>further (5)</b> 38:19;44:9;52:19; 66:25;80:14 <b>future (7)</b>	9:5;22:4;37:24; 51:16;55:13;79:13,13  <b>G</b>  <b>games (1)</b> 76:5 <b>gap (1)</b> 78:12 <b>garage (17)</b> 4:21;5:1;8:22;15:11, 25:16;17,24;32:20,21; 36:16;40:8;49:2,8; 50:25;51:18;63:5,8 <b>garages (2)</b> 5:8;7:12 <b>gas (2)</b> 77:5,25 <b>gave (1)</b> 35:13 <b>General (3)</b> 3:7;9:6;67:22 <b>generally (1)</b> 57:14 <b>generous (3)</b> 24:17;32:22,23 <b>gentlemen (2)</b> 43:20;70:21 <b>gets (2)</b> 37:22;86:25 <b>giant (1)</b> 80:5 <b>gigantic (1)</b> 12:9 <b>GILLESPIE (16)</b> 6:14,20,23;7:2,3,6; 19:14,15;20:9,25; 21:20;23:10,18,24; 24:23;31:20 <b>Girdled (2)</b> 10:18;25:16 <b>given (3)</b> 75:20;77:14;83:24 <b>gives (1)</b> 46:17 <b>giving (2)</b> 4:13;42:20 <b>glad (1)</b> 85:10 <b>goes (2)</b> 28:19;42:6 <b>Good (22)</b> 2:1;34:23;40:18; 41:1,2,14;43:9;55:10, 12,17;56:15;66:23; 68:18;69:13;70:10; 73:19;74:13;80:18,20; 81:21;82:21;86:23 <b>grand (1)</b> 22:6 <b>grandfathered (1)</b> 15:23 <b>grasped (1)</b>	8:24 <b>great (3)</b> 22:11;33:19;42:8 <b>greater (4)</b> 3:11;31:7;33:22; 68:2 <b>green (2)</b> 57:19;75:20 <b>gross (2)</b> 3:14;68:4 <b>ground (8)</b> 3:17;18:6;21:12,15; 27:2;49:21;54:10;68:8 <b>group (5)</b> 4:1;69:24;81:1,11; 84:6 <b>growing (2)</b> 29:1;36:23 <b>grows (1)</b> 36:22 <b>guess (8)</b> 12:17;14:15;15:7; 24:25;30:4,12;44:8; 56:13 <b>guidelines (1)</b> 18:12 <b>guy (1)</b> 39:9 <b>guys (6)</b> 27:7,20;42:7,12; 44:5;62:24  <b>H</b>  <b>habitable (3)</b> 48:20,22;49:1 <b>half (8)</b> 32:22;33:10,13; 36:10,14,16,19;51:22 <b>hampered (1)</b> 27:16 <b>hampering (1)</b> 27:15 <b>hand (1)</b> 84:1 <b>handed (1)</b> 37:22 <b>happen (3)</b> 18:17;39:13;57:10 <b>happened (1)</b> 42:4 <b>happening (2)</b> 75:15;78:1 <b>happens (1)</b> 87:15 <b>happy (3)</b> 30:16;50:2;85:1 <b>hard (1)</b> 71:21 <b>harmony (1)</b> 36:23 <b>hash (1)</b> 43:6	<b>hashed (1)</b> 41:16 <b>hat (1)</b> 41:13 <b>hate (1)</b> 39:3 <b>HAYWARD (7)</b> 55:25;56:5,6;57:13, 17;58:3,5 <b>hear (4)</b> 8:1;10:4,6;70:19 <b>heard (1)</b> 39:14 <b>hearing (25)</b> 2:3,4,18;4:5,14;5:16; 28:3;37:7,8,11,23;38:3, 9;43:2,15;44:24;45:4, 5,7;50:8;52:20,22; 53:2,4;86:7 <b>hearings (1)</b> 43:13 <b>heart (2)</b> 43:11,23 <b>Heather (25)</b> 2:6;4:12;13:5;18:8, 10;30:17;33:18;41:6; 45:11;47:23;50:6; 53:23;56:11;58:19,23; 64:3;65:13;67:5;68:16, 23;81:7,23;82:17,21; 84:17 <b>Heather's (8)</b> 52:7,15;59:21;60:5; 61:2,18;65:5;66:10 <b>height (13)</b> 3:10;21:3;46:11,13, 15,17,17;48:8,10,11; 51:6,6;67:25 <b>held (1)</b> 4:18 <b>help (2)</b> 47:17;69:16 <b>helps (1)</b> 32:4 <b>herself (1)</b> 70:18 <b>high (1)</b> 26:19 <b>higher (1)</b> 46:18 <b>Hills (1)</b> 56:23 <b>himself (1)</b> 87:19 <b>hinder (1)</b> 17:19 <b>hindering (1)</b> 40:20 <b>Hiram (3)</b> 29:21;52:3;53:13 <b>HOA (1)</b> 57:19 <b>Hollow (1)</b>	54:13 <b>home (15)</b> 11:14;25:18,19; 26:10;27:1,14,17;29:9, 12;32:8,18;37:6;39:6, 9;51:19 <b>homeowner's (1)</b> 40:23 <b>homes (9)</b> 4:22;7:12;12:11,12; 25:25;27:2;29:7;32:10; 40:14 <b>homework (1)</b> 21:1 <b>honor (4)</b> 77:9,16;78:1,7 <b>honoring (2)</b> 77:13,13 <b>honors (1)</b> 77:22 <b>hope (4)</b> 29:10;32:4;86:14,25 <b>horse (2)</b> 31:22,22 <b>horses (5)</b> 11:15;17:16;22:3,15; 24:2 <b>hotel (1)</b> 55:5 <b>house (29)</b> 9:3;12:1,13;15:6,9, 15;16:12,15,17;17:4; 21:14,25;22:8;23:6; 25:23,24;27:6,11,11, 19;33:1,8,16;35:8,22, 23;36:15,17;72:7 <b>household (1)</b> 49:10 <b>houses (3)</b> 26:4,18;29:2 <b>housing (1)</b> 12:11 <b>huge (2)</b> 16:19;40:4 <b>humbly (1)</b> 24:15 <b>hydrant (1)</b> 84:12  <b>I</b>  <b>Iafelice (56)</b> 2:7,8;29:25;30:1; 31:25;33:18;34:19,25; 44:22;52:12,13;53:19, 20;59:18;60:3,8,22; 61:4,15,23;62:4,9,20; 63:2,7,14,18,22;64:10, 11,22;65:3,9;66:4,6,14, 20,24;67:12,13;68:12, 22;69:5,6;76:14,21; 77:4;78:15,24;80:19, 20,23;81:15,25;82:1;
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87:9 <b>ice (5)</b> 73:4;75:14;78:10,13, 22 <b>idea (1)</b> 55:10 <b>ideas (1)</b> 37:14 <b>ie (1)</b> 5:1 <b>impact (1)</b> 86:18 <b>important (8)</b> 6:2;19:21;39:22; 40:11;43:2;74:19;87:3, 7 <b>impressed (1)</b> 72:9 <b>IN9 (7)</b> 69:24;81:1,11;83:2, 17;84:6,15 <b>incident (3)</b> 46:12;48:10;51:14 <b>include (2)</b> 52:9;58:21 <b>includes (1)</b> 58:23 <b>including (1)</b> 62:2 <b>indicated (1)</b> 34:4 <b>individually (1)</b> 4:10 <b>individuals (1)</b> 54:15 <b>information (1)</b> 4:15 <b>infrastructure (1)</b> 72:23 <b>inherited (1)</b> 22:9 <b>Initially (2)</b> 4:19;31:9 <b>initiated (2)</b> 2:20;58:14 <b>in-law (1)</b> 17:15 <b>input (8)</b> 7:25;25:1,8;42:1,23; 43:19;51:25;57:4 <b>inputs (1)</b> 36:24 <b>inside (1)</b> 11:18 <b>inspector (2)</b> 42:8;53:23 <b>instead (2)</b> 19:18;40:24 <b>intend (1)</b> 26:10 <b>intent (1)</b> 51:10 <b>interest (4)</b>	43:11;45:14;54:13; 70:17 <b>interested (1)</b> 9:24 <b>interesting (1)</b> 18:3 <b>interrupt (1)</b> 44:23 <b>intersections (1)</b> 79:19 <b>into (20)</b> 2:3;9:8;11:25;16:19; 17:21;18:18;26:24,25; 28:16;34:24;36:4,12; 42:9;43:19;44:11;45:8; 50:8;52:9;77:15;83:9 <b>investment (2)</b> 77:7,14 <b>invited (1)</b> 43:13 <b>involved (1)</b> 85:9 <b>isolated (1)</b> 7:16 <b>issue (25)</b> 4:20;6:2;7:14,15; 9:2;11:11;14:15;15:7; 16:20;17:20,23;21:23; 24:6;27:18,19;28:12; 33:22;41:2;42:6;43:16; 44:25;49:17;51:15; 70:20;75:25 <b>issues (11)</b> 9:4;14:6;28:14,23; 29:4,14;38:23;45:16, 18;55:21;87:5 <b>item (7)</b> 2:17,21;53:3;55:19; 58:10;68:16;69:21 <b>items (2)</b> 15:19;61:7	35:22 <b>kids (5)</b> 22:4;25:21;76:3,6,7 <b>kind (16)</b> 5:9;9:2;18:14;20:1; 30:12;34:23;39:2,19, 24;40:12,21;54:18; 57:6;70:22;71:21; 74:25 <b>Kirtland (1)</b> 56:22 <b>knew (2)</b> 15:7;87:20 <b>Knightsbridge (1)</b> 56:6 <b>knowing (1)</b> 75:9 <b>knows (1)</b> 87:7	6:10,11;36:7;43:7; 73:9,23 <b>legal (3)</b> 30:21;36:20;46:16 <b>lengthy (1)</b> 31:8 <b>less (4)</b> 13:18;22:1;31:4; 72:15 <b>letter (4)</b> 44:16;45:23;57:4; 69:14 <b>level (7)</b> 3:17;21:12,15;27:2; 49:22;54:22;68:8 <b>levels (1)</b> 26:20 <b>levy (5)</b> 86:13,14,17;87:1,6 <b>lies (1)</b> 24:6 <b>life (1)</b> 22:12 <b>lifestyle (3)</b> 22:21;23:21;25:4 <b>lift (1)</b> 15:18 <b>light (1)</b> 75:20 <b>likely (1)</b> 82:25 <b>limit (2)</b> 33:23;37:25 <b>limitation (3)</b> 24:14;32:6;33:1 <b>limitations (2)</b> 4:23;40:21 <b>limited (2)</b> 13:16;55:4 <b>limiting (3)</b> 3:11;31:14;68:2 <b>limits (1)</b> 11:23 <b>line (1)</b> 5:8 <b>Lingenfelter (11)</b> 2:15,16;10:2;64:14, 15;67:14,15;69:7,8; 82:6,7 <b>listed (1)</b> 53:7 <b>listen (1)</b> 8:8 <b>literature (1)</b> 17:2 <b>little (20)</b> 4:13,17;11:15;17:7, 17;26:5,23;27:14;30:1, 5,7;33:2;40:1,2,22; 41:15;64:23;70:23; 72:15;78:11 <b>live (4)</b> 22:20;25:3;56:19;	74:2 <b>lived (3)</b> 21:23;22:11,21 <b>living (10)</b> 3:17;21:11,14;23:25; 24:2;32:7,12,16;49:21; 68:7 <b>LLC (4)</b> 69:24;81:1,12;84:6 <b>load (2)</b> 72:18,19 <b>located (1)</b> 69:25 <b>location (1)</b> 54:24 <b>loft (1)</b> 27:14 <b>long (7)</b> 14:2;15:17,17;24:20; 38:1;42:19,25 <b>longer (1)</b> 41:7 <b>look (27)</b> 4:22;11:21,23,24; 12:1;16:15,18,21,22; 20:23;23:6;27:7,21; 29:11;30:22;34:10; 35:10,19,23;36:18; 40:10;54:22;57:4; 70:21;71:3;78:8,19 <b>looked (3)</b> 40:12;72:16;79:16 <b>looking (6)</b> 5:6;18:25;65:4; 73:22;79:12;83:21 <b>looks (6)</b> 16:13,24;19:20;29:9; 35:22;41:14 <b>loophole (2)</b> 15:8;39:3 <b>lose (1)</b> 80:5 <b>lost (2)</b> 38:18;45:11 <b>lot (43)</b> 3:10,18;9:12;11:19; 12:3,11;13:18,22;14:1; 20:15,16;23:7;29:1,3, 12;32:20,22,23,24,24; 33:11;35:13,21;36:4,8, 14;40:7;42:8,9;43:4; 49:6,20,22;51:21,23; 56:20;68:1,9;72:13; 73:14;76:8;77:7;78:2 <b>lots (12)</b> 3:11;13:20;14:13; 29:2;31:3,6,13;33:22; 36:6,9,10;68:2 <b>love (1)</b> 86:11 <b>low (1)</b> 16:1 <b>lower (1)</b>
		<b>L</b>		
		<b>Lake (10)</b> 44:12,16;45:16,24; 46:1,4,8;47:20,25; 66:17 <b>land (1)</b> 36:9 <b>landing (1)</b> 16:13 <b>lands (1)</b> 69:16 <b>landscaping (2)</b> 34:11;73:14 <b>Lane (1)</b> 56:6 <b>language (6)</b> 7:15;30:24;46:10,14, 19,22 <b>large (11)</b> 4:21;7:11;8:22; 11:16;16:5;28:25; 35:19;36:19;39:6,7,20 <b>larger (3)</b> 33:12,15;35:9 <b>last (6)</b> 9:22;36:15;47:13; 49:7;53:4;69:15 <b>late (1)</b> 72:2 <b>law (2)</b> 70:13,15 <b>lawn (1)</b> 26:7 <b>lawnmower (1)</b> 26:6 <b>least (4)</b> 18:1,16;32:17;41:10 <b>leave (2)</b> 70:3,8 <b>leaving (3)</b> 38:17;70:3,11 <b>left (6)</b>		
	<b>J</b>			
	<b>job (3)</b> 37:20;52:7;69:19 <b>Jordan (1)</b> 15:2 <b>July (1)</b> 85:19			
	<b>K</b>			
	<b>keep (5)</b> 5:7;12:3;36:21,22; 75:2 <b>kept (1)</b> 31:7 <b>kick (1)</b> 70:11 <b>kicked (1)</b> 72:3 <b>kicking (1)</b>			

15:12 <b>luck (1)</b> 73:19 <b>lunchtime (1)</b> 75:12	28:13;48:24;62:5; 72:5 <b>meant (3)</b> 44:15;45:10;63:13 <b>meantime (1)</b> 37:15 <b>mechanical (1)</b> 49:12 <b>meet (2)</b> 58:6,8 <b>meeting (11)</b> 2:3;4:4;46:3;54:17; 57:8;58:24;69:17; 85:23;87:23,24,25 <b>meetings (3)</b> 41:10,20,25 <b>melding (1)</b> 52:8 <b>Meldrum (2)</b> 8:17,17 <b>memo (3)</b> 59:20,21;85:18 <b>memorandum (13)</b> 44:21;47:22;49:25; 50:6,7;52:7,15;58:23; 59:15;60:5,23;65:16; 68:15 <b>memos (1)</b> 44:13 <b>mentioned (3)</b> 36:3;54:17;56:14 <b>might (13)</b> 10:7,10;14:14;32:10; 33:14;34:5,7;35:11,23; 45:14;54:23;74:24; 78:11 <b>mind (2)</b> 4:13;75:2 <b>mine (3)</b> 9:10;16:15;25:18 <b>minimum (3)</b> 32:12,18;33:9 <b>minor (1)</b> 22:10 <b>minutes (2)</b> 53:4,7 <b>miss (1)</b> 87:14 <b>mixed (1)</b> 77:23 <b>modification (4)</b> 50:22;51:4;60:15; 65:11 <b>modifications (13)</b> 5:11;48:2,4,15; 50:12,15;58:22;59:1, 14;62:2;65:6;69:12; 85:19 <b>modified (1)</b> 68:15 <b>money (4)</b> 18:19;73:11;74:5; 77:15	<b>months (5)</b> 5:5;41:6;73:5,9; 79:24 <b>more (31)</b> 3:12;5:8;11:22;12:1; 13:20;14:7;16:15,16; 19:21;23:19;25:12,21; 26:23;27:2,18;34:8; 36:6;38:22;40:1,2,22, 24;56:19;61:18;63:19; 68:3;75:24;76:8;79:5; 80:10;85:10 <b>most (3)</b> 5:3;47:1;51:8 <b>motion (32)</b> 2:20;53:5;58:14,19, 21;59:1,2,10,13,17; 63:21,22,25;64:1,2,20; 65:18,24;67:1,3,21; 68:13,20,21;80:24; 81:3,6,8,9,17,19;85:22 <b>motor (3)</b> 12:11,12;49:9 <b>move (7)</b> 9:23;25:3;28:4;41:2; 53:2;71:17;85:16 <b>moved (2)</b> 21:24;50:8 <b>moving (6)</b> 22:19;29:1;32:15; 37:25;55:23;76:22 <b>much (15)</b> 9:6,19;10:21;11:8; 14:19;15:5;19:10;25:8; 33:20;35:9;43:19;54:1; 57:21;71:2;78:22 <b>mind (2)</b> 4:13;75:2 <b>multiple (2)</b> 12:11;31:18	11:17,22;12:13;13:2; 14:13;18:13,20;23:19; 43:24,25;71:10;73:21; 74:10;82:25;85:1,11, 12;86:13,13;87:2,7 <b>needed (1)</b> 34:17 <b>needs (3)</b> 26:23;27:4;71:25 <b>nefarious (1)</b> 39:4 <b>neighbor (3)</b> 9:9;51:19;57:18 <b>neighborhood (3)</b> 34:6,9;35:11 <b>neighbors (12)</b> 12:4;16:23;28:17,18, 20;35:12;40:24;56:14, 16,21;57:3;58:7 <b>nervous (1)</b> 86:18 <b>new (21)</b> 2:25;5:12;16:2,2; 26:14;30:25;31:13,16; 46:21,22;48:17;50:22; 52:23,25;58:11;59:8; 62:16,21;69:22;83:12; 85:15 <b>next (20)</b> 9:3,20,21;23:1;32:1; 38:2;39:17,20;46:20; 47:1;49:3;53:3;55:19; 58:10;69:21;75:17; 83:9;85:23;86:6;87:22 <b>nice (6)</b> 52:7;58:6,8;69:13, 19;87:24 <b>night (1)</b> 72:8 <b>nights (1)</b> 43:5 <b>non-conforming (1)</b> 46:16 <b>None (5)</b> 52:4;53:7,11,14;65:4 <b>nor (3)</b> 25:21;31:24;87:11 <b>normal (1)</b> 49:10 <b>Normally (1)</b> 87:4 <b>note (1)</b> 3:22 <b>notice (1)</b> 30:21 <b>notices (2)</b> 83:23,23 <b>notification (1)</b> 84:8 <b>notify (1)</b> 57:2 <b>November (3)</b> 86:8;87:10,23	<b>nowhere (6)</b> 73:12;74:2,3,25; 78:10;79:21 <b>number (16)</b> 20:12,13,18,21;21:4, 8;33:23;37:7;41:13; 46:8;48:6,13;49:15; 60:25;70:1;74:20 <b>numbers (3)</b> 20:23;31:12;68:16
<b>M</b>			<b>O</b>	
<b>machine (2)</b> 11:24;35:21 <b>mail (1)</b> 84:3 <b>mailed (1)</b> 84:25 <b>main (5)</b> 5:2;29:11;47:7;49:6; 51:11 <b>makes (2)</b> 76:7;78:2 <b>making (1)</b> 43:21 <b>maniac (1)</b> 69:18 <b>many (6)</b> 17:8;20:22;36:6; 43:5,5;87:14 <b>map (1)</b> 78:9 <b>markouts (1)</b> 30:14 <b>massive (1)</b> 17:3 <b>master (3)</b> 77:6,17,17 <b>match (1)</b> 12:2 <b>MATHENEY (4)</b> 4:2,11;45:1;70:6 <b>matter (2)</b> 3:21;76:16 <b>max (1)</b> 11:8 <b>maxed (1)</b> 20:10 <b>maximum (9)</b> 3:13,19;10:23;21:9; 30:11;31:5;51:12;68:4, 10 <b>maximums (1)</b> 49:23 <b>may (6)</b> 9:11;44:22;54:21; 65:4;74:9;85:1 <b>maybe (15)</b> 5:7;11:22,25;15:19; 17:2;19:18;26:7;27:7; 34:10;35:4;40:22; 54:21;55:6;72:21; 75:13 <b>mean (4)</b> 23:5;24:21;70:6; 76:15 <b>means (4)</b>			<b>object (3)</b> 28:17;57:5;77:20 <b>objected (2)</b> 51:20;77:19 <b>objecting (1)</b> 77:5 <b>objection (4)</b> 28:20;57:11;77:4; 79:4 <b>objectionable (1)</b> 35:11 <b>obnoxious (1)</b> 34:12 <b>obviously (4)</b> 9:10;12:10;83:1; 85:10 <b>October (3)</b> 47:24;59:15;68:15 <b>odd (1)</b> 20:12 <b>off (1)</b> 27:24 <b>offensive (1)</b> 11:20 <b>offer (1)</b> 8:4 <b>Ohio (2)</b> 13:12,21 <b>old (5)</b> 10:21;15:24;54:3; 69:25;85:16 <b>older (2)</b> 26:2;27:5 <b>omission (2)</b> 39:4,25 <b>Once (5)</b> 32:24;37:21;44:1; 71:22;86:25 <b>one (35)</b> 3:23,25;4:1;8:21; 11:1,10;14:11;21:8,10; 22:16;24:12;25:12; 28:10;31:13;32:5,19, 22;35:16,16,19;36:10; 37:7;39:17;44:10;51:4, 9,20;57:18;59:24; 61:20;67:21;70:13; 72:17,21;74:20 <b>onerous (1)</b> 79:5	

<b>ones (2)</b> 6:5;63:16	<b>owners (1)</b> 70:14	55:7;80:25	15:20	47:16;54:17
<b>only (11)</b> 11:2,13;15:7;26:9, 11,13;28:15;31:14; 73:5;76:2;86:24	<b>P</b>	<b>perfect (1)</b> 79:3	<b>plus (3)</b> 50:10;60:12;61:12	<b>primary (2)</b> 5:8;11:4
<b>onto (3)</b> 8:24;15:15;85:16	<b>page (1)</b> 60:25	<b>period (2)</b> 38:2;74:23	<b>PM (1)</b> 87:25	<b>principal (10)</b> 3:4,10,18;46:12; 48:9;49:11,22;65:23; 68:1,8
<b>open (4)</b> 5:16;41:19;54:3; 72:7	<b>palpable (1)</b> 55:12	<b>permits (1)</b> 19:3	<b>podium (2)</b> 5:19;6:22	<b>prior (1)</b> 58:24
<b>opening (1)</b> 54:5	<b>parameters (2)</b> 24:14;41:8	<b>permitted (7)</b> 3:3,20;34:18;36:20; 49:23;65:22;68:10	<b>point (20)</b> 8:2;22:16;28:2; 37:21;44:7;45:6;46:8, 20;47:1,13;48:17;49:3, 7,15;51:20;52:19;59:4; 73:16;74:13;79:23	<b>Private (4)</b> 49:8;50:25;63:6,9
<b>opinion (5)</b> 8:4;23:4;24:4;38:6; 74:11	<b>parcel (3)</b> 9:3;31:22;70:1	<b>personal (2)</b> 15:16,19	<b>points (1)</b> 18:3	<b>probably (10)</b> 12:3;14:12;16:16; 19:6;26:20;41:6;56:11; 70:7;75:11,19
<b>opinions (3)</b> 37:14;42:15;45:22	<b>parcels (1)</b> 9:4	<b>personally (3)</b> 16:8;38:24;57:10	<b>pole (2)</b> 17:4;22:3	<b>probation (1)</b> 87:21
<b>opportunity (5)</b> 38:20;42:21;43:17; 44:3;78:4	<b>parking (4)</b> 73:14;75:7,24;76:3	<b>perspective (2)</b> 55:11,12	<b>political (1)</b> 87:5	<b>problem (8)</b> 7:11;8:7,21;14:14; 27:13;39:16;82:18; 86:6
<b>opposed (3)</b> 14:19;22:22;76:22	<b>Parkway (1)</b> 79:20	<b>perspectives (1)</b> 30:9	<b>pool (1)</b> 54:5	<b>problems (2)</b> 18:18;28:16
<b>opposition (4)</b> 10:5,7,8,11	<b>part (13)</b> 4:5;11:11;13:1; 15:12,13;34:15;48:20, 22;49:1;56:10,12; 70:13,18	<b>pertain (3)</b> 12:23;14:2,12	<b>populated (1)</b> 34:8	<b>process (8)</b> 8:9;28:8;37:10; 38:15;43:19;57:14; 70:24;71:18
<b>option (2)</b> 18:16;38:9	<b>participate (1)</b> 7:24	<b>Peterson (45)</b> 2:9,10;35:2,3;44:10, 18;45:13;52:5,6;53:16, 17;60:1,14,19;61:21; 62:1,7,10,18;63:5,10, 12,24;64:2,12,13; 65:17;67:4,8,9;68:19, 22;69:1,2;72:6;73:19; 78:8,18;79:16;80:4,17, 18;82:2,3;87:11	<b>porch (1)</b> 48:25	<b>profitable (1)</b> 73:10
<b>order (4)</b> 2:3;30:8;48:5,13	<b>participation (2)</b> 43:5;55:20	<b>physically (2)</b> 48:19;49:5	<b>portion (3)</b> 28:3;45:4;52:20	<b>project (2)</b> 75:21;76:23
<b>others (1)</b> 61:6	<b>particular (2)</b> 3:25;59:2	<b>pick (1)</b> 41:13	<b>posing (1)</b> 31:2	<b>properties (7)</b> 4:24;5:4;32:1;57:3; 70:14;77:22;78:16
<b>ours (2)</b> 5:3;28:25	<b>particularly (1)</b> 30:3	<b>picked (1)</b> 20:13	<b>position (1)</b> 9:14	<b>property (14)</b> 5:2,9;11:16;17:22; 22:1,7;23:20;26:8; 28:21;29:9;34:12;40:9, 20;69:25
<b>out (34)</b> 4:6;10:13;20:10,13; 26:17,18;34:10;35:10; 36:18;37:19;38:25; 40:6,10;41:13,17,22; 43:6;51:18,19;54:14; 69:19;70:5,11;71:10; 72:13;77:7;79:1,2; 82:25;83:11,17;84:25; 86:12;87:1	<b>parties (2)</b> 83:5;84:4	<b>pickup (1)</b> 22:9	<b>possible (1)</b> 33:6	<b>proportion (2)</b> 35:10;36:18
<b>outbuilding (1)</b> 35:9	<b>pass (1)</b> 86:20	<b>piece (1)</b> 22:1	<b>possibly (1)</b> 43:19	<b>proposals (1)</b> 7:14
<b>outcome (1)</b> 84:9	<b>passed (4)</b> 22:10;86:14,17;87:8	<b>pieces (1)</b> 11:16	<b>postage (1)</b> 84:3	<b>propose (1)</b> 7:15
<b>outlined (1)</b> 85:18	<b>passes (2)</b> 69:12;86:14	<b>pigs (2)</b> 22:16;24:3	<b>posted (1)</b> 30:20	<b>proposed (6)</b> 31:24;48:2,4;49:16; 61:17;85:17
<b>outside (4)</b> 11:18;16:18;80:6,6	<b>pasture (1)</b> 17:21	<b>piles (1)</b> 71:21	<b>potential (3)</b> 33:15;54:16;70:17	<b>proposing (5)</b> 5:10;22:18;50:7,12, 19
<b>over (12)</b> 7:7;9:23;13:23;14:1; 31:13;37:22;51:14; 54:3,7;57:9;75:24;76:5	<b>patio (1)</b> 80:6	<b>place (2)</b> 25:5;32:13	<b>potentially (2)</b> 9:3;51:16	<b>pros (1)</b> 54:25
<b>overall (1)</b> 15:10	<b>pausing (1)</b> 64:22	<b>plan (14)</b> 15:15;16:5;25:20; 75:3;76:19,19;77:6,11, 13,17,17,22;78:1,16	<b>pour (1)</b> 18:6	<b>Prouty (7)</b> 7:3;8:18;15:3,9; 16:12;19:15;21:24
<b>overnight (2)</b> 84:2,3	<b>pay (1)</b> 78:23	<b>planned (1)</b> 77:6	<b>preliminary (1)</b> 76:19	<b>Provide (3)</b> 2:25;59:8;62:21
<b>own (3)</b> 15:16;43:7;70:12	<b>pedestrian (5)</b> 72:18,19,21;77:12, 18	<b>Planning (12)</b> 44:12,17;45:16,24; 46:1,5,9;47:21,25;66:7, 17;69:15	<b>premature (2)</b> 73:5,13	<b>provision (7)</b> 3:8,11,15;67:24; 68:1,5;74:20
<b>owner (1)</b> 34:12	<b>penalizing (1)</b> 27:10	<b>please (8)</b> 2:6;7:1,8;14:10;15; 14:25;19:12;47:19; 56:3	<b>prepaid (1)</b> 84:3	<b>public (32)</b> 2:4,18;4:5,14;5:16,
	<b>people (27)</b> 6:8,8;11:14;12:4,11; 14:4,7;22:19,24,24; 25:25;29:1,12;32:9; 37:5;40:3,7,18;42:14, 20;71:4;75:7,12;76:6; 77:10;78:5;86:23	<b>plow (1)</b>	<b>prepare (1)</b> 84:25	
	<b>people's (1)</b> 70:23		<b>prepared (3)</b> 52:16;54:1;58:23	
	<b>per (2)</b>		<b>present (1)</b> 77:10	
			<b>pretty (7)</b> 11:8;15:5;23:8,13, 23;24:22;36:19	
			<b>prevent (1)</b> 51:16	
			<b>previous (2)</b>	

17;28;3;37;6;8,11,23; 38;3;9;41;19;22;42;3; 43;1,12,15;44;24;45;4, 5;7;49;13;50;8;52;20, 22;53;2;55;20;58;1; 75;25;76;8	<b>reached (1)</b> 51:19	66:18	17;62;14,25;64;6,7; 67;6;7;69;3,4;71;13; 73;17,20;76;12;77;2; 80;12;82;4,5,15,18; 83;14;84;11;87;16	69;23;82;12;85;17
<b>pull (1)</b> 15:16	<b>read (4)</b> 7:7;48;7;49;18; 58:17	<b>referencing (1)</b> 65:16	<b>request (1)</b> 57:2	<b>reviewing (1)</b> 71:19
<b>purchase (1)</b> 15:24	<b>reading (1)</b> 30:14	<b>referring (1)</b> 59:20	<b>require (1)</b> 40:22	<b>Revise (13)</b> 2:22,23;3:2,6;48;6; 49;3,8;50;19,23;59;5, 7;65;21;67;22
<b>purchased (2)</b> 15:8,23	<b>ready (1)</b> 86:1	<b>reflect (4)</b> 64;17;67;17;69;10; 82:11	<b>requirement (3)</b> 76;18;79;1;80:24	<b>revised (6)</b> 9:7;13;21;59;24; 60;4;61;10;66:11
<b>purposes (1)</b> 49:2	<b>real (2)</b> 86:20,21	<b>refresher (3)</b> 30;7;33;20;34;23	<b>requirements (2)</b> 3:7;67;23	<b>revising (5)</b> 27;8;52;15;61;6; 63;3,8
<b>put (29)</b> 9;8;11;22,25;15;18; 16;1,2;17;25;18;5; 21;15;22;7;23;6,16; 29;4;36;3;39;12;40;8, 19,21;41;12;57;2; 72;12;76;19,19;77:1, 15,21;78;20;79;2,2	<b>realistically (1)</b> 74:17	<b>regard (3)</b> 6;7;74;20;76:8	<b>requiring (1)</b> 22:24	<b>revisions (1)</b> 52:9
	<b>really (29)</b> 7:13;8;23;10;21; 11:20;12;7,10,21;16:1; 19:17;27;2,10,15; 28:16;31;10;35:10; 41:16;45;9;54:1,19; 55;7;72;8;74;10;76:16; 78:10;79;22;83:10; 86:18,19;87:1	<b>regarding (4)</b> 4:21;49;16;83;2; 85:5	<b>residence (1)</b> 35:25	<b>Rich (3)</b> 37;2;45;9;76:21
<b>puts (1)</b> 42:9	<b>reason (1)</b> 76:25	<b>regs (1)</b> 9:8	<b>resident (5)</b> 4:20;7;7;18;4;39:1; 42:2	<b>Rich's (1)</b> 52:14
<b>putting (4)</b> 18;7;26;6;40;25; 42:10	<b>reasonable (2)</b> 20:18;43:1	<b>regulate (6)</b> 12:25;13;8,13,16,22, 24	<b>residential (4)</b> 4:24;5;4;23;25; 35:20	<b>riding (1)</b> 26:6
<b>Q</b>	<b>reasonably (1)</b> 83:9	<b>regulation (1)</b> 13:12	<b>residents (4)</b> 41:25;49;11;79:14; 86:11	<b>right (37)</b> 6:11;7;23;9;20; 11:11;13;10;14;22; 18:14;19;3,4;23;8,9,17, 19;24;20;33;2,24; 42:12;50;16;52:11; 54;6;7;55;4;56:15; 60:10;61;21,25;65:8, 10,13;66:15;71:15; 73;22,23;75:5,10; 81:18;86:16
<b>Quail (1)</b> 54:13	<b>recall (2)</b> 34:2;51:13	<b>Regulations (7)</b> 3:2;5;12;9;2,7;65:2, 22;66:15	<b>Resolution (16)</b> 2:20;6;9;10;22; 18:12;31;6,24;32:14; 33;7;42;11;47;2;49;2; 50;4;55:1;58:13;59:14; 74:21	<b>Road (20)</b> 7:3;8;18;10;18;15;3, 9;16;12;17;16,24; 19:15;21;24;25:16; 70:1;72:20;73:18; 78:19;79:17,20;83:6,6, 19
<b>quick (1)</b> 33:19	<b>receive (2)</b> 45:23;84:7	<b>reiterate (2)</b> 35:4,17	<b>resolutions (3)</b> 6:13;8;20;39:24	<b>Robert (1)</b> 56:5
<b>quite (1)</b> 51:22	<b>received (1)</b> 60:23	<b>reject (2)</b> 37:18;38:14	<b>resolving (1)</b> 6:18	<b>role (1)</b> 58:20
<b>R</b>	<b>recommend (2)</b> 50:15;51:4	<b>relate (2)</b> 5:2;50:3	<b>respective (1)</b> 84:4	<b>roll (5)</b> 2:6;64;4;67;5;68;23; 81:24
<b>Radachy (1)</b> 47:20	<b>recommendation (5)</b> 7:23;47:18;50:10,20; 61:14	<b>related (1)</b> 59:22	<b>rest (1)</b> 52:24	<b>rolling (2)</b> 83:20;86:1
<b>raise (1)</b> 16:3	<b>recommendations (3)</b> 48:1;50:3;61:2	<b>relates (1)</b> 30:3	<b>restate (2)</b> 61:7;62:5	<b>rolls (1)</b> 69:16
<b>raised (4)</b> 4:20;22;3;32;8; 48:14	<b>recommended (6)</b> 46:5,18,24;47:9,15; 66:7	<b>relating (1)</b> 30:10	<b>restrict (2)</b> 19:19;56:18	<b>roof (3)</b> 16:1,2,2
<b>raising (1)</b> 22:6	<b>recommending (3)</b> 45:20;48:3,15	<b>relationship (1)</b> 51:18	<b>restricting (1)</b> 19:18	<b>room (8)</b> 6:8;9;24;10;8;26:21; 39:18;41;15;43;7;70:8
<b>rampant (1)</b> 7:18	<b>reconsider (1)</b> 46:19	<b>relationships (1)</b> 40:14	<b>restriction (3)</b> 31:17,23;35:15	<b>row (6)</b> 8:11,12,13;9:20,21, 23
<b>ranch (4)</b> 27:11;32:16;33:6; 51:17	<b>record (8)</b> 8:15;10;16;15:1; 19:13;64;17;67:17; 69:9;82:11	<b>remote (1)</b> 75:16	<b>restrictions (5)</b> 4:25;21;3;25:5; 32:12;39:8	<b>rubble (1)</b> 71:21
<b>ranches (1)</b> 32:11	<b>recourse (1)</b> 38:19	<b>renew (1)</b> 32:6	<b>result (1)</b> 39:15	<b>rules (1)</b> 39:10
<b>random (1)</b> 21:2	<b>recreational (2)</b> 12:13;24:8	<b>repair (1)</b> 49:13	<b>results (1)</b> 86:22	<b>run (2)</b>
<b>randomly (1)</b> 20:13	<b>red (3)</b> 30:24;31:1;60:20	<b>replaced (1)</b> 74:17	<b>retail (2)</b> 75:4;77:24	
<b>rather (1)</b> 4:21	<b>redevelop (1)</b> 55:9	<b>Report (5)</b> 53:10,23;54:14,16; 55:17	<b>retired (2)</b> 22:8;26:9	
<b>reach (2)</b> 82:25;83:16	<b>reference (1)</b> 51:7	<b>Reppert (31)</b> 2:11,12;29;23;52:4; 53:14;58;2,4,8;60:6,	<b>retirement (1)</b> 25:19	
	<b>references (1)</b>		<b>Review (6)</b> 29:8;30;13;45:17;	



16:19;18:18 <b>running (2)</b> 7:17;76:7 <b>RVs (1)</b> 40:4	67:22;83:23 <b>sections (2)</b> 13:21;52:16 <b>sector (1)</b> 77:8 <b>seeing (3)</b> 70:25;71:19;82:23 <b>seem (1)</b> 36:9 <b>seemed (1)</b> 21:2 <b>seems (2)</b> 9:1;20:12 <b>sell (1)</b> 78:23 <b>semi-rural (2)</b> 22:13;25:2 <b>send (1)</b> 45:15 <b>sense (5)</b> 27:17;45:8;47:14; 76:8;78:2 <b>separate (3)</b> 4:6;5:25;47:15 <b>September (2)</b> 45:24;46:4 <b>seriously (2)</b> 43:22;45:22 <b>service (1)</b> 49:13 <b>session (1)</b> 85:17 <b>sessions (1)</b> 4:18 <b>set (7)</b> 18:23;26:17,17; 37:11;48:11;51:6; 81:10 <b>several (3)</b> 4:18;5:5;59:22 <b>shack (1)</b> 21:25 <b>shall (12)</b> 3:9,16;46:10;48:8, 10;49:20,23;51:6; 67:25;68:6;83:25;84:1 <b>shame (2)</b> 86:20,21 <b>shares (1)</b> 48:20 <b>shed (4)</b> 11:25;23:6;26:5,21 <b>sheds (1)</b> 8:22 <b>shoes (1)</b> 70:23 <b>shop (1)</b> 35:21 <b>short (1)</b> 55:17 <b>shovel (1)</b> 18:5 <b>show (1)</b>	18:24 <b>side (4)</b> 6:10;9:23;10:7; 14:19 <b>sides (1)</b> 56:22 <b>sidewalk (21)</b> 70:22;71:2,9;72:17, 24;73:3,11,13,21;74:1, 1,6,10,15,22,25;76:7; 77:19;78:11,23;80:25 <b>sidewalks (7)</b> 71:23;72:3;75:14,23; 76:13,24;79:8 <b>sign (1)</b> 85:2 <b>signed (1)</b> 73:6 <b>significant (1)</b> 24:3 <b>similar (2)</b> 48:25;77:5 <b>simple (1)</b> 13:8 <b>single (1)</b> 32:12 <b>sit (3)</b> 8:7;38:1;43:6 <b>site (4)</b> 54:20;55:7,9;75:3 <b>sitting (4)</b> 8:13;39:18;40:10; 74:7 <b>situation (1)</b> 15:5 <b>situations (1)</b> 34:5 <b>six (13)</b> 21:21,21;22:1,25; 24:2;31:21;36:7;41:6; 61:6,9;62:5,6;63:16 <b>size (19)</b> 4:23,25;10:20,25; 11:2,3,10;12:8;15:14; 19:19,21;23:13,14,23; 24:1,25;26:11;33:15; 35:5 <b>sizes (2)</b> 31:3,5 <b>size-wise (1)</b> 12:7 <b>small (7)</b> 25:23;26:1,9;27:16; 33:11,12,16 <b>smaller (6)</b> 4:22;7:12;29:2,2; 32:10;51:21 <b>smallest (1)</b> 33:6 <b>snap (1)</b> 34:23 <b>sold (1)</b> 73:4	<b>solve (2)</b> 7:10,21 <b>solving (1)</b> 7:20 <b>somebody (8)</b> 8:13;12:5;23:25; 24:2;27:10;39:18,19; 73:24 <b>somehow (1)</b> 35:15 <b>someone (6)</b> 12:18;27:15;55:8; 70:13;73:23,23 <b>somewhat (1)</b> 12:2 <b>son-in-law (1)</b> 22:5 <b>soon (2)</b> 54:5;56:11 <b>sorry (4)</b> 6:15;13:4;44:23; 66:23 <b>sort (2)</b> 35:20;57:20 <b>sorts (1)</b> 40:6 <b>sounds (2)</b> 7:11;39:4 <b>space (5)</b> 15:10;23:17,19; 48:24;57:19 <b>speak (6)</b> 5:19;6:1,12;10:8; 37:14;38:4 <b>speaking (2)</b> 9:25;86:10 <b>special (2)</b> 34:3;55:3 <b>specific (3)</b> 6:2;20:1;83:3 <b>specifically (3)</b> 31:12;41:22;55:5 <b>specified (1)</b> 24:11 <b>speech (1)</b> 14:16 <b>spend (2)</b> 18:20;73:11 <b>spent (2)</b> 35:21;41:6 <b>split (3)</b> 13:20;26:19;33:10 <b>spoken (1)</b> 10:3 <b>spots (1)</b> 54:2 <b>square (59)</b> 3:14,16,19;10:22; 11:1;15:10,13;16:4,11, 16:20;11,16;21:5,7,10, 11,14,17;22:2;23:8,12, 14,16;24:16,17,21,21; 25:17,24,24;26:4,12,	14:27;1,5,9,12,19; 30:11;31:16;32:7,17, 18,20,21;33:1,9,20,25; 35:5,6,7;36:17;40:13; 49:18,20;68:5,7,10 <b>stacked (1)</b> 26:19 <b>Staff (2)</b> 48:3,15 <b>stakes (1)</b> 54:9 <b>stand (1)</b> 66:21 <b>stand-alone (1)</b> 47:3 <b>standard (5)</b> 11:23;23:6;36:2,9; 46:13 <b>standards (1)</b> 35:24 <b>standing (1)</b> 74:4 <b>standpoint (2)</b> 40:23;76:9 <b>start (8)</b> 5:17;6:7,10;18:6,7, 18;54:21;83:20 <b>started (4)</b> 2:5;4:22;54:7;71:22 <b>starting (1)</b> 76:10 <b>State (8)</b> 7:1;8:14;10:15; 13:11;14:25;19:12; 46:24;56:3 <b>stated (2)</b> 5:12;59:14 <b>statement (1)</b> 32:9 <b>statements (2)</b> 30:2;87:4 <b>stating (1)</b> 83:18 <b>station (2)</b> 77:5,25 <b>status (1)</b> 87:5 <b>stay (1)</b> 33:4 <b>steer (1)</b> 18:14 <b>step (1)</b> 70:5 <b>stick (1)</b> 31:11 <b>still (14)</b> 10:13;25:5;32:19; 33:14;40:18;44:24; 72:1;73:8;74:3;77:20; 79:24;81:21;83:10,18 <b>stone (1)</b> 70:23 <b>storage (1)</b>
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23:12 <b>store (6)</b> 11:18;40:3,8;49:9; 78:11,13 <b>stories (1)</b> 26:2 <b>story (5)</b> 33:8,10,13,13;74:23 <b>street (9)</b> 54:6;73:24;75:4,18, 22;76:13;77:24;78:5; 80:7 <b>stressing (1)</b> 86:16 <b>strip (1)</b> 16:13 <b>stripe (1)</b> 31:1 <b>structure (7)</b> 47:4,4,6,7,8,11;72:11 <b>structures (4)</b> 18:7;46:15;47:3,8 <b>Stuart (1)</b> 51:14 <b>stuck (1)</b> 31:4 <b>study (1)</b> 77:15 <b>stuff (13)</b> 11:18;15:8,24;16:7; 17:18,23;24:24;29:3; 40:4;43:6,22;55:17; 71:21 <b>style (1)</b> 27:11 <b>styles (1)</b> 29:6 <b>subdivision (1)</b> 13:19 <b>subject (4)</b> 31:23;32:2;59:21; 84:14 <b>submitted (2)</b> 65:11;68:14 <b>substantial (3)</b> 23:23;24:22;40:19 <b>success (1)</b> 78:22 <b>suggested (2)</b> 34:7;55:1 <b>suggesting (2)</b> 32:5;54:23 <b>suggestion (3)</b> 52:8;73:7,12 <b>suggestions (1)</b> 46:7 <b>suggests (1)</b> 7:17 <b>suitable (1)</b> 54:24 <b>summer (1)</b> 74:8 <b>Summerwood (1)</b>	26:3 <b>Super (4)</b> 9:18;25:7;27:22; 37:1 <b>support (2)</b> 43:3;86:13 <b>supports (1)</b> 87:1 <b>supposed (4)</b> 74:22;75:4;76:16; 79:12 <b>Sure (23)</b> 4:11;5:21,23;6:3; 10:12,24;19:2;26:4; 27:25;38:16;40:7;56:2; 58:20,24;60:9;61:7; 62:5;63:15;78:25;84:7; 85:3;86:5,14 <b>surprises (1)</b> 19:4  <b>T</b>  <b>Table (4)</b> 3:5;65:24;85:22,25 <b>Taco (1)</b> 54:11 <b>talk (7)</b> 18:9,23;29:6;37:13; 56:16,21;84:22 <b>talked (4)</b> 30:6;31:21;35:4; 42:4 <b>talking (8)</b> 6:4;7:16;23:13,16; 33:9;56:9,11;78:15 <b>taller (2)</b> 51:11,18 <b>teams (2)</b> 76:4,5 <b>tend (2)</b> 11:14;75:19 <b>tense (1)</b> 77:10 <b>term (8)</b> 2:25;46:23,25;47:5; 58:22;59:8;62:17,21 <b>Thankfully (1)</b> 87:12 <b>Thanks (4)</b> 29:18;34:19;37:1; 45:8 <b>therein (1)</b> 24:6 <b>thinking (5)</b> 4:9;18:10;35:7; 54:20;55:8 <b>third (1)</b> 72:24 <b>though (4)</b> 17:22;55:17;78:9; 85:6 <b>thought (17)</b>	4:10;16:2;24:16; 35:14;38:25;40:22; 41:16;45:12,13;50:11; 62:13;71:18;72:4,5,7; 74:24;83:15 <b>thoughts (2)</b> 6:6;8:1 <b>thousand (3)</b> 21:14,17;22:2 <b>three (20)</b> 3:22;5:25;6:5;9:13; 21:3;22:25;25:21,22; 26:20;36:15;58:16; 61:12,16,18,24,24; 63:1,18,19;82:11 <b>throughout (2)</b> 7:18;77:18 <b>tie (1)</b> 17:21 <b>tieing (1)</b> 32:6 <b>times (1)</b> 23:14 <b>timing (1)</b> 83:8 <b>today (5)</b> 2:4;32:15;47:24; 71:16;77:11 <b>together (4)</b> 39:12;42:10;77:1; 79:11 <b>told (1)</b> 11:9 <b>tonight (7)</b> 5:10;38:17;50:13; 59:22;83:19;84:10; 86:3 <b>took (3)</b> 42:5;46:1;57:12 <b>top (2)</b> 26:19;33:11 <b>topic (1)</b> 4:19 <b>total (1)</b> 26:25 <b>totally (1)</b> 38:13 <b>touch (1)</b> 85:4 <b>towards (1)</b> 24:11 <b>townhall (1)</b> 18:22 <b>Township (24)</b> 2:2,19;7:18;11:12; 13:15;14:10;18:5; 28:11;31:9;36:6,8,22; 46:13;47:2;54:18; 58:13;69:24;77:8,14; 78:6;79:14;81:11;84:6; 87:6 <b>track (1)</b> 30:22	<b>tractor (1)</b> 22:8 <b>traffic (2)</b> 75:6,8 <b>trailers (2)</b> 12:12;40:5 <b>train (1)</b> 45:12 <b>travel (1)</b> 40:5 <b>treats (1)</b> 47:3 <b>tremendous (1)</b> 23:15 <b>trend (1)</b> 27:1 <b>TRESGER (8)</b> 14:23;15:2,3;17:10, 13;19:1,5,8 <b>T-r-e-s-g-e-r (1)</b> 15:3 <b>tried (1)</b> 29:15 <b>truck (2)</b> 15:20;22:9 <b>true (2)</b> 80:2,9 <b>trust (1)</b> 21:1 <b>trustees (5)</b> 37:9,12,23;43:15; 86:16 <b>trustees' (1)</b> 55:11 <b>try (7)</b> 5:7;20:18;29:13; 41:14;43:8,18;69:18 <b>trying (10)</b> 7:10,19;10:13;33:15; 36:4,21;60:8;63:15; 64:24;78:21 <b>Tuesday (1)</b> 46:3 <b>tweak (1)</b> 38:11 <b>tweaks (1)</b> 44:4 <b>two (36)</b> 3:11,12;11:11;17:14, 18,25;19:23;20:10,11; 23:16,19;24:19;25:22; 26:2;31:4,7,13,14; 32:23,24;33:8,22; 44:13,18;47:8;61:6; 62:17;68:2,3;73:8; 78:19;79:23,23;80:1; 82:11;87:13 <b>two-fold (1)</b> 21:8 <b>two-story (1)</b> 27:13 <b>type (4)</b> 11:25;22:20;25:3;	34:14  <b>U</b>  <b>under (17)</b> 13:21;17:19;21:21; 22:18;31:23;33:6;46:1; 52:23,25;54:12;60:3, 24;69:22;70:12;77:21; 83:24;87:21 <b>underlined (1)</b> 30:25 <b>understood (1)</b> 52:17 <b>undertook (1)</b> 70:20 <b>unenclosed (1)</b> 48:24 <b>unfair (2)</b> 41:16;79:22 <b>uniformity (1)</b> 40:1 <b>unique (1)</b> 34:5 <b>unlike (1)</b> 25:20 <b>unsure (1)</b> 84:18 <b>up (55)</b> 5:19;6:17,21;8:6,9, 14;9:21;10:9;14:23; 16:3;17:25;18:3,7,23; 20:18,24;21:16;22:7; 24:19;25:14;28:7,12; 31:9,21;32:9;33:10,24; 34:4,16;35:15;36:4,8; 37:11;38:20;40:17,25; 42:23;43:8,8,24;44:25; 54:6;56:3,18,25;57:3; 71:8,8,22;74:13,20; 76:6;78:13;81:10;86:3 <b>update (1)</b> 55:10 <b>upgrade (1)</b> 29:5 <b>upon (1)</b> 81:1 <b>upper (1)</b> 15:12 <b>upstairs (1)</b> 25:22 <b>use (24)</b> 2:24,24;3:2,5,2,8; 12:19,20;15:20;16:3; 24:7,7,8;39:3;49:6; 59:7,8;63:3,3;65:1,2,1; 66:8,15;77:23;79:13 <b>used (3)</b> 46:23;74:2,2 <b>uses (11)</b> 3:4,4;13:9,17;31:20; 54:16,25;55:6;65:23, 23;85:20
---	---	--	---	--

<b>using (3)</b> 17:21;36:8;71:4	5:18;9:16;10:8; 17:17;32:15	<b>wow (1)</b> 39:16	<b>1,600 (1)</b> 33:9	<b>2023 (2)</b> 81:1,10
<b>utilize (1)</b> 24:18	<b>warehouse (3)</b> 15:5,6;23:2	<b>writing (2)</b> 83:25;84:8	<b>1,800 (1)</b> 25:23	<b>2024 (2)</b> 46:4;85:19
<b>V</b>	<b>warehouses (2)</b> 11:21;19:17	<b>written (1)</b> 55:4	<b>10 (6)</b> 23:7,12;26:21,21; 27:16;75:17	<b>2025 (1)</b> 83:12
<b>valid (1)</b> 28:7	<b>wash (2)</b> 72:11;75:10	<b>wrong (5)</b> 23:11;26:15,16; 39:11;59:24	<b>11159 (1)</b> 8:18	<b>216 (1)</b> 60:25
<b>value (2)</b> 71:1,23	<b>washing (1)</b> 54:2	<b>Y</b>	<b>11239 (2)</b> 7:3;19:15	<b>24th (1)</b> 46:4
<b>variance (3)</b> 46:17;56:10,12	<b>waste (1)</b> 74:5	<b>yard (1)</b> 22:15	<b>11261 (1)</b> 15:3	<b>28 (1)</b> 60:24
<b>vehicle (1)</b> 15:16	<b>watch (1)</b> 87:14	<b>year (3)</b> 4:19;83:9,11	<b>12 (2)</b> 23:7,12	<b>3</b>
<b>vehicles (2)</b> 12:13;49:10	<b>watching (1)</b> 37:6	<b>years (15)</b> 7:7;16:6;21:24,24; 22:11;57:10;71:14; 73:8;74:14,15;75:17; 78:19;79:23,24;80:1	<b>120 (2)</b> 23:8,11	<b>3 (11)</b> 48:14;49:15;51:3; 60:3,23;66:10;67:21; 68:14,16;69:11;75:17
<b>verbiage (3)</b> 30:25;42:10;51:5	<b>way (14)</b> 4:7;6:5;11:5;12:17; 16:13,14;19:7;23:3; 26:17;36:23;39:12; 54:12;80:6;87:14	<b>young (1)</b> 22:19	<b>12014 (2)</b> 10:18;25:16	<b>3,000 (2)</b> 26:3;27:5
<b>verge (1)</b> 87:20	<b>website (2)</b> 30:21,23	<b>Z</b>	<b>132 (1)</b> 10:22	<b>30 (9)</b> 7:7;21:16,24,24; 22:7,11;23:19,22;40:5
<b>versus (2)</b> 16:12;24:7	<b>welcome (8)</b> 7:25,25;29:20;41:20, 25;42:14,17;57:24	<b>Zoning (46)</b> 2:2,19,20,21;4:17; 6:9;9:8;12:25;13:1; 18:12;20:8;24:10,11, 13;26:14,24;28:11,14; 29:14;31:5;33:7;39:5, 23;41:18;42:7,8,11,19; 46:23;47:2,23;51:8; 53:23;55:10,14;56:7; 57:1;58:12,13,14; 74:21;81:11;85:8,18; 86:7;87:22	<b>15 (2)</b> 13:20;23:14	<b>300 (1)</b> 78:12
<b>veteran (1)</b> 11:13	<b>what's (3)</b> 8:3;53:24;84:8	<b>0</b>	<b>15.02 (7)</b> 3:2;65:16,21;66:8, 15,18,18	<b>30th (2)</b> 45:24;85:19
<b>via (2)</b> 48:22;79:19	<b>whenever (1)</b> 74:9	<b>08-A-020-0-00-048-0 (1)</b> 70:1	<b>15.02-1 (2)</b> 3:5;65:24	<b>34.99 (1)</b> 46:15
<b>Victor (2)</b> 75:2,20	<b>whereas (1)</b> 31:17	<b>1</b>	<b>15.03A (2)</b> 3:7;67:22	<b>35 (1)</b> 46:13
<b>Victor's (1)</b> 78:9	<b>whole (6)</b> 14:14,15;26:22; 38:14;77:8;79:10	<b>1 (12)</b> 46:8;48:6,17;50:18, 21;59:5,21,22;60:16; 61:22;64:18;68:16	<b>15.03A10 (4)</b> 47:14;49:16;66:9,10	<b>4</b>
<b>view (1)</b> 70:16	<b>wife (1)</b> 22:4	<b>1,024 (1)</b> 31:6	<b>15.03A6 (2)</b> 48:7;51:5	<b>40 (5)</b> 17:3;21:16;22:7; 23:20,22
<b>views (1)</b> 56:18	<b>willing (1)</b> 34:14	<b>1,200 (7)</b> 32:17,18,20,21,25; 33:4,5	<b>15.03A7 (1)</b> 49:24	<b>4H (3)</b> 22:4,6,16
<b>violation (1)</b> 18:19	<b>wife (1)</b> 22:4	<b>1,300 (2)</b> 15:10,13	<b>15.03A8 (1)</b> 49:24	<b>4th (2)</b> 81:1,10
<b>vision (2)</b> 77:12;78:6	<b>wise (1)</b> 18:4	<b>1,500 (3)</b> 23:13;24:16,21	<b>15.03A9 (2)</b> 47:4,12	<b>5</b>
<b>VOICE (7)</b> 10:1,10,12;14:20; 38:5,6;57:8	<b>withdraw (1)</b> 61:14	<b>1,532 (9)</b> 3:14;20:10;25:17; 31:7,16,18;33:4,24; 68:5	<b>15.04 (2)</b> 48:12;51:7	<b>5 (1)</b> 75:17
<b>vote (9)</b> 3:24;4:3,4;58:12; 66:13;81:7;86:12,12, 25	<b>within (3)</b> 18:11;24:13;43:1	<b>1,024 (1)</b> 31:6	<b>15.3A9 (1)</b> 66:9	<b>5.02 (5)</b> 50:19;59:23;60:4,24; 63:11
<b>votes (2)</b> 52:23,25	<b>without (2)</b> 40:20;76:23	<b>1,024 (1)</b> 31:6	<b>18 (4)</b> 51:9;73:5,8;79:24	<b>5.02A (2)</b> 2:22;59:6
<b>voting (1)</b> 61:8	<b>won (1)</b> 22:5	<b>1,200 (7)</b> 32:17,18,20,21,25; 33:4,5	<b>1st (3)</b> 47:24;59:15;68:15	<b>5.23 (1)</b> 61:1
<b>W</b>	<b>wonderful (2)</b> 22:12,17	<b>1,300 (2)</b> 15:10,13	<b>2</b>	<b>5th (3)</b> 86:8;87:10,23
<b>wait (1)</b> 73:8	<b>worded (1)</b> 11:5	<b>1,500 (3)</b> 23:13;24:16,21	<b>2 (12)</b> 48:13,14;51:2;60:18; 64:21,25;65:6,11,19; 67:17,19;83:23	<b>6</b>
<b>walk (5)</b> 72:20;73:18;74:8; 79:18,18	<b>work (10)</b> 4:18;11:14;15:18; 39:3;42:9;55:13;69:13; 75:13;84:16;85:17	<b>1,532 (9)</b> 3:14;20:10;25:17; 31:7,16,18;33:4,24; 68:5	<b>2,000 (1)</b> 11:1	<b>60 (1)</b> 17:3
<b>walking (1)</b> 77:11	<b>worried (2)</b> 78:25;87:17		<b>2,200 (1)</b> 27:12	
<b>wall (1)</b> 48:20	<b>worry (1)</b> 53:9		<b>2,400 (1)</b> 36:17	
<b>wants (5)</b>	<b>worst (1)</b> 18:17		<b>20 (2)</b> 51:8,13	

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