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CONCORD TOWNSHIP ZONING COMMISSION MEETING
LAKE COUNTY, OHIO
REGULAR MEETING

Concord Town Hall
7229 Ravenna Road
Concord, Ohio 44077

Tuesday, February 4, 2025
7:00 p.m.

TRANSCRIPT OF PROCEEDINGS

Zoning Commission Board Members Present:

- Hiram Reppert, Chairman
- Rich Iafelice, Member
- Rich Peterson, Member
- John Wiertel, Member
- Frank Schindler, Member

Also Present:

- Heather Freeman, Planning & Zoning
Director/Zoning Inspector
- Bridey Matheney, Esq., Legal Counsel
- James O'Leary Esq., Legal Counsel

<p style="text-align: right;">Page 2</p> <p>1 THE CHAIR: I'd like to call 2 to order this Concord Township Zoning 3 Commission Meeting, Tuesday, February 4th, 4 2025 to order. 5 We have a rather long agenda 6 so let's get started. Heather, roll call the 7 members. 8 MS. FREEMAN: Mr. Peterson. 9 MR. PETERSON: Here. 10 MS. FREEMAN: Mr. Iafelice. 11 MR. IAFELICE: Here. 12 MS. FREEMAN: Mr. Schindler. 13 MR. SCHINDLER: Here. 14 MS. FREEMAN: Mr. Reppert. 15 MR. REPPERT: Here. 16 MS. FREEMAN: Mr. Wiertel. 17 MR. WIERTEL: Here. 18 THE CHAIR: The first thing 19 on the agenda is election of a chairperson. I 20 will entertain any nominations. 21 MR. IAFELICE: Acting chair 22 or standing chair? 23 THE CHAIR: Acting chair. 24 MR. IAFELICE: I would like 25 to nominate Hiram Reppert Chairman for the</p>	<p style="text-align: right;">Page 4</p> <p>1 Mr. Chairman. 2 THE CHAIR: Any other 3 nominations? Okay, nominations are closed. 4 Roll call, please. 5 MS. FREEMAN: Mr. Reppert. 6 MR. REPPERT: Yes. 7 MS. FREEMAN: Mr. Schindler. 8 MR. SCHINDLER: Yes. 9 MS. FREEMAN: Mr. Peterson. 10 MS. FREEMAN: Yes. 11 MS. FREEMAN: Mr. Wiertel. 12 MR. WIERTEL: Yes. 13 MS. FREEMAN: Mr. Iafelice. 14 MR. IAFELICE: I will 15 abstain. 16 MR. PETERSON: Well, 17 Congratulations, Mr. Chairperson. That just 18 moves the sequence up like it would have been. 19 THE CHAIR: Next on the 20 agenda is approval of minutes, November 5. 21 Does anybody have any additions or 22 corrections; November 5, 2024. 23 MR. IAFELICE: I do, 24 Mr. Chairman. Having been absent, I needed to 25 read it all kind of closely, but even with not</p>
<p style="text-align: right;">Page 3</p> <p>1 remainder of the calendar year. 2 MR. PETERSON: I second 3 that nomination. 4 THE CHAIR: Any other 5 nominations? 6 MR. SCHINDLER: No, sir. 7 THE CHAIR: Nominations are 8 closed. Roll call. 9 MS. FREEMAN: Mr. Peterson. 10 MR. PETERSON: Yes. 11 MS. FREEMAN: Mr. Iafelice. 12 MR. IAFELICE: Yes. 13 MS. FREEMAN: Mr. Schindler. 14 MR. SCHINDLER: Yes. 15 MS. FREEMAN: Mr. Reppert. 16 MR. REPPERT: Abstain. 17 MS. FREEMAN: And 18 Mr. Wiertel. 19 MR. WIERTEL: Yes. 20 THE CHAIR: Okay. Election 21 of Vice-Chairman, Chairperson. 22 MR. PETERSON: Mr. Chairman, 23 I nominate Rich Iafelice as Vice-Chairman. 24 THE CHAIR: Do you second? 25 MR. SCHINDLER: I second,</p>	<p style="text-align: right;">Page 5</p> <p>1 being there is what I would point out a couple 2 errors on page 36. 3 THE CHAIR: 36? 4 MR. IAFELICE: 36, yes. 5 Line 2, page 36, and line 7. I believe that's 6 an error there indicating Ms. Freeman as 7 making the motion twice. It says Ms. Freeman 8 so moved. I assume that could be an error on 9 page 36, line 2. 10 THE CHAIR: Yeah, I see it. 11 Go back to 35. Do you recall, Heather? 12 MS. FREEMAN: I think I, 13 actually, did say that. I was trying to move 14 it along so the person actually making the 15 motion wouldn't have to repeat what 16 Mr. O'Leary was stating. So if you continue 17 to read on, then Mr. Wiertel does actually 18 make the motion. 19 MR. WIERTEL: Yeah. It was 20 how the motion was getting made is where that 21 got convoluted, and then Mr. O'Leary kind of 22 gave us the verbiage, if you will, if I'm not 23 mistaken. And I think Heather, I don't know 24 if she was intentionally saying so moved or 25 not, but that's how it came out. I don't</p>

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1 think it was she made a motion that she moved
 2 it herself.
 3 MR. IAFELICE: That's all I
 4 wanted to point out. That's all. Thanks,
 5 Mr. Chairman.
 6 THE CHAIR: Any other
 7 comments or corrections?
 8 MR. SCHINDLER: No,
 9 Mr. Chairman.
 10 THE CHAIR: I will
 11 entertain a motion to approve the minutes.
 12 MR. WIERTEL: I will make a
 13 motion to approve the minutes.
 14 THE CHAIR: Do I have a
 15 second?
 16 MR. SCHINDLER: I will
 17 second.
 18 THE CHAIR: All those in
 19 favor say aye.
 20 Aye, aye, aye.
 21 MR. PETERSON: I have to
 22 abstain. I wasn't here.
 23 MR. IAFELICE: Abstain.
 24 THE CHAIR: We have three
 25 ayes and two abstains. Motion is carried.

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1 Next is December 3rd. Mr. Iafelice is not
 2 here again.
 3 MR. IAFELICE: True.
 4 THE CHAIR: Any comments or
 5 corrections on December 3rd's meeting minutes?
 6 MR. IAFELICE: None.
 7 MR. SCHINDLER: None,
 8 Mr. Chairman.
 9 THE CHAIR: Hearing none, I
 10 will take a motion to approve the minutes as
 11 written.
 12 MR. PETERSON:
 13 Mr. Chairman. I would make a motion to
 14 approve the December 2024 minutes as written.
 15 THE CHAIR: Do I have a
 16 second?
 17 MR. SCHINDLER: I second,
 18 Mr. Chairman.
 19 THE CHAIR: All those in
 20 favor.
 21 Aye, aye, aye, abstain,
 22 abstain.
 23 THE CHAIR: Again, we have
 24 three yeses; three ayes and two abstains. The
 25 minutes are approved as written.

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1 Correspondence for the Board.
 2 Mr. Schindler.
 3 MR. SCHINDLER:
 4 Mr. Chairman, I received a letter from the
 5 Concord Fire Department in December asking if
 6 Douglas, who is an inspector for the
 7 department, if they could get together with
 8 our Homeowner's Association to discuss
 9 electrical hookups for our RV vehicles,
 10 electrical vehicles. And I told them,
 11 unfortunately, our Homeowner's Association has
 12 been defunct for many years, but I offered
 13 that I would be happy to circulate any
 14 information he has in our neighborhood and the
 15 neighborhood behind me.
 16 So he sent me over several
 17 sheets of paper that he duplicated for me to
 18 circulate throughout the residence about how
 19 to have an electrical hookup for charging, how
 20 it should be installed in the homes by an
 21 authorized electrician, and other safety
 22 issues that the homeowners should be aware of.
 23 So I made copies of that to do
 24 that, and I will be circulating it throughout
 25 our neighborhood and the neighborhood behind

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1 me. And he thanked me for making the effort
 2 to do that.
 3 If anyone would like to see
 4 the brochures, you might want to make a copy
 5 here at the township because maybe people
 6 might be hearing this tonight and have an
 7 interest for that. So I brought a copy that
 8 could be made again, I'm sure, and people
 9 would probably be happy to know that that's
 10 being done in the township.
 11 THE CHAIR: Good, thank
 12 you.
 13 MS. FREEMAN: Mr. Schindler,
 14 I do have a copy of that letter from Doug so I
 15 would be happy to send that to the Board if
 16 you guys wanted to see that.
 17 MR. WIERTEL: I have no
 18 correspondence.
 19 THE CHAIR: None, okay.
 20 Rich?
 21 MR. SCHINDLER: Which Rich?
 22 MR. PETERSON: I have
 23 nothing.
 24 THE CHAIR: Rich two?
 25 MR. IAFELICE: I have

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1 nothing, Mr. Chairman.
 2 THE CHAIR: And I have none
 3 myself. The Zoning Inspector's Report.
 4 Heather, would you please?
 5 MS. FREEMAN: Sure. I'd be
 6 happy to. First, I just wanted to welcome
 7 John Wiertel for recently being appointed as a
 8 regular member to the Zoning Commission. The
 9 trustees appointed him in January of this year
 10 after the resignation of Andy Lingenfelter.
 11 I, also, just want to thank Andy for his 27
 12 years of service on the Zoning Commission.
 13 That's a really long time to be on this kind
 14 of Board, and I'm glad I worked with him over
 15 the last 10 years. So I just want to take
 16 this opportunity to share with you some
 17 year-end statistics for 2024 regarding Zoning
 18 Board activities, permits, and some other
 19 Zoning Inspector activities.
 20 Activity for 2024 was as
 21 follows: The Board of Zoning Appeals took
 22 action on 29 different applications, one
 23 appeal application, 6 conditional use permits,
 24 and 22 variances.
 25 The Zoning Commission took

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1 action on 5 site plan review applications.
 2 The 5 projects included approvals for the
 3 following: The Longwood Plaza, Taco Bell,
 4 Crossroads Health, Auburn Vocational School
 5 District's Board of Education offices and the
 6 Auburn Career Center's Public Safety Training
 7 Building; the amended plan.
 8 Additionally, in 2024, based
 9 on permit activity, 20 new businesses opened
 10 their doors in Concord Township making Concord
 11 their home. These type of businesses ranged
 12 from light manufacturing to personal services,
 13 including hair and nail salons, retail,
 14 restaurants, car wash detailing, and other
 15 medical and professional office spaces. The
 16 vast majority of these new businesses did
 17 locate within existing buildings.
 18 As far as zoning permit
 19 activity in 2024, this year resulted in fewer
 20 permits than we had last year. We finished up
 21 the year with 378 zoning permits, which was
 22 just 4 less than what we had in 2023. And the
 23 average number of zoning permits processed
 24 annually since 2012 is approximately 363
 25 permits a year, so we are a little bit above

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1 average.
 2 The total number of dwelling
 3 units was slightly down from 2023, where we
 4 had 45 new dwelling units approved this year,
 5 which was actually 43 less than we had last
 6 year.
 7 MR. WIERTEL: 43 less? Wow.
 8 MS. FREEMAN: Yes. So
 9 quite a bit drop there. And I think that a
 10 lot of that is based on subdivision activity
 11 lots. So we do have the Villas at Canterwood
 12 that still has several lots available for
 13 development in the Ivy Ridge, so I would
 14 expect that this year those numbers will be
 15 higher than what we had in 2024 maybe.
 16 And then, finally, the zoning
 17 inspector was busy in the field, as well, and
 18 performed 1,144 property inspections for open
 19 zoning permits and followed up on 163
 20 complaints about potential zoning violations.
 21 That's it.
 22 THE CHAIR: Thank you. Any
 23 questions for Heather?
 24 MR. WIERTEL: And thank you
 25 for the kind words. I appreciate that.

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1 MS. FREEMAN: You are
 2 welcome.
 3 THE CHAIR: And that is for
 4 two people in the office, right?
 5 MS. FREEMAN: Yeah.
 6 MR. WIERTEL: Well done.
 7 THE CHAIR: You didn't have
 8 much spare time, did you, Heather?
 9 MS. FREEMAN: No.
 10 THE CHAIR: Public
 11 participation other than what's on the agenda.
 12 Can you state your name and
 13 your address?
 14 MR. MCINTOSH: Morgan
 15 McIntosh. 9880 Judges Court.
 16 I do want to address the Board
 17 regarding an agenda item that's deeper in the
 18 agenda, but I want to go back to a letter that
 19 I wrote the Commission back in early November.
 20 Just to recap it, and I won't read it
 21 verbatim, but I'm not sure that it was read.
 22 I was not able to be here
 23 because I was working the Board of Elections,
 24 and I wanted to express a concern regarding
 25 some action that had been taken by the Board

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1 with respect to the IN9 Development and
 2 calling up the agreement that this Board had
 3 made approximately 18 months prior to that.
 4 I was part of this Zoning
 5 Commission several years ago when the sidewalk
 6 requirement was put in. And I, certainly,
 7 appreciate and understand the spirit of the
 8 work that was gone into at that time, working
 9 in economic development of Concord Township,
 10 being part of the JEDD Board. I get all of
 11 it. I think it's an important component. But
 12 I thought the timing of it, as somebody who
 13 sits in front of business people that come
 14 into the community and we talk about different
 15 things that we can do to attract businesses, I
 16 felt calling that up so quickly when we had
 17 given a five-year window was just a little bit
 18 quick, and that we could be a little more
 19 business friendly about that.
 20 So that's really what I wanted
 21 to discuss was just really timing because when
 22 we gave them that window, I felt honoring it,
 23 and calling it up as quickly, and I think at
 24 the point the opening was imminent but they
 25 weren't even open yet, so I just thought the

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1 timing was bad.
 2 Subsequently, as there has
 3 been conversations around a couple of other
 4 things that have come to my attention which is
 5 just information that I wanted to put in front
 6 of you. I understand, and I haven't spoken
 7 with the developers specifically, but I have
 8 heard that there are some challenges with
 9 respect to the property in meeting those
 10 requirements, one of which is the fire
 11 hydrants. But in subsequent conversations
 12 with Ms. Freeman and the Zoning Office, it's
 13 come to my attention that the Township and the
 14 Zoning Commission acted to put the requirement
 15 for the sidewalk in after the road design was
 16 approved and that those two actions weren't
 17 coordinated together.
 18 So in addition to the
 19 placement of the fire hydrants, there has been
 20 some drainage things with the way that road
 21 was constructed that further present an issue.
 22 And something that I also see as a shortcoming
 23 is that while we talked about sidewalks and
 24 adjacent properties and connectivity through
 25 that district, which is north and then west

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1 across Capital Parkway, we never did any
 2 assessment of adjoining districts in the other
 3 directions. And the township has recently
 4 moved forward with one of the developers on
 5 the corner of Hunting Lake and Crile Road, and
 6 at the time the BZA didn't talk to them about
 7 their site plan about putting any sidewalks
 8 there. So that ship has sailed. So there
 9 won't be any sidewalks in that corner coming
 10 out to Hunting Lake, which in my thought
 11 process would have been a logical purpose
 12 because you have residential very close. So
 13 I'm asking that as you take this up with the
 14 developer, that you consider these factors,
 15 that not only the timing, but I'm wondering if
 16 maybe there is some additional diligence or
 17 some other considerations that need to be
 18 taken in because there is some things that
 19 have come to light to me. I think there is
 20 some questions that need to be answered. I
 21 think there is some dialogue that should be
 22 had and I don't think go forward in the course
 23 of regulation that maybe doesn't make sense.
 24 I'm not saying it does or it doesn't, but I
 25 think there is additional factors that need to

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1 be looked at and it should be considered in a
 2 greater scope.
 3 I don't mean to rewind it, but
 4 there has been a couple things here that make
 5 me -- I have a lot of questions. I don't want
 6 to say I'm leaning one way or the other. I
 7 understand that there is an agreement in place
 8 and that the Board put together the agreement
 9 in good faith with the developer and the
 10 developer is interested in cooperating.
 11 So I'm in no way suggesting
 12 that we completely forego the agreement. I
 13 think some conversation to look at the
 14 challenges and the applicability, and then
 15 just visit the issue again as thoroughly as
 16 you can as opposed to just -- I'm not an
 17 advocate of government moving quickly, and
 18 just, well, that's just the rules and that's
 19 the way we are going to go. We need to do our
 20 diligence, do our work, and be as thorough as
 21 we can in this process. And I just wanted to
 22 call attention to those two things.
 23 MR. PETERSON: Can I ask a
 24 question? You'll remember it well, as will
 25 Frank, but the rest of the Board wasn't here

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1 at the time when a number of years ago we were
 2 talking about a town center over on Auburn
 3 Road. There was a lot of controversy in the
 4 township, as you recall, and a lot of
 5 negativity. So the concept was there, but it
 6 never went anywhere, as you know. And I
 7 haven't heard one word mentioned about a town
 8 center since then. And with retail going the
 9 direction it's going, that would affect what
 10 we would have done. Would it be possible for
 11 the trustees to give us as a Board an update
 12 on what's going on with all of that? Because
 13 a lot of the decisions we make are related to
 14 a potential town center that, in my mind, may
 15 never come about.

16 MR. MCINTOSH: Quick answer,
 17 yes, I think that's workshops, and you are
 18 always welcome to speak with any of the
 19 trustees when you have questions that come
 20 along. I know that we had a meeting about a
 21 year ago, and I don't want to totally speak
 22 out of turn, but the comp plan or the
 23 comprehensive plan update, those are documents
 24 that live in time, and they are still the
 25 comprehension plan that we are working with.

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1 And I can tell you as a
 2 member, the JEDD Board has entertained
 3 businesses, and as a trustee, that we still
 4 speak with people in the spirit of that plan
 5 and document. So I think you can still hold
 6 faith in it. We operate as if it's the plan,
 7 right? There is a period of time, and I think
 8 that there will be some examination of that,
 9 as it's been a period of time, and so there
 10 will be some re-evaluation of that going
 11 forward, but it is still the document. And
 12 you are welcome to ask legal or whatever for
 13 what the proper consideration of that is, but
 14 it's not terminated in my mind in any way.
 15 It's the plan that we all have had to work
 16 with.

17 MR. PETERSON: I just
 18 wonder if it changed in a way that it would
 19 affect some of the decisions that we make.

20 MR. MCINTOSH: I have had
 21 some conversation with Ms. Freeman and
 22 Administrator Rose and with Ms. McMahon on the
 23 JEDD Board, and again, it's one of those
 24 things that as time goes on, there are certain
 25 factors that change. We are in conversations

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1 now about addressing some of that. I don't
 2 want to say too much before it's appropriate,
 3 but stay tuned. So I think that document will
 4 be examined for some updates and some
 5 re-looking in the coming year. But we have to
 6 be fluid. We talk to people all the time and
 7 there are circumstances that change.

8 I would suggest to you one of
 9 the most glaring, significant changes to that
 10 comp plan is the fact that in 2015 when the
 11 comprehensive plan was updated, Quail Hollow
 12 was a viable hotel. So we had a lot of
 13 conversation about people that have had
 14 interest in that, but that's a new piece to
 15 the puzzle. So immediately you have to ask
 16 the question what changes about development in
 17 Concord with that, and there is no clear
 18 answer to. So when businesses come and speak
 19 with us, we have to talk to them about current
 20 situations, but you still contrast them
 21 against the plan. As those dates get further
 22 and further apart, that becomes more of a
 23 challenge and becomes more difficult, so
 24 that's why we are having conversations about
 25 maybe it's time for an update.

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1 MR. PETERSON: Thank you.

2 MR. MCINTOSH: Well, thank
 3 you for your time.

4 THE CHAIR: Thank you,
 5 Morgan. Do we have anybody on the phone?

6 MS. FREEMAN: No.

7 THE CHAIR: Any other
 8 public participation? Okay. Let's move on to
 9 new business. The first one here is establish
 10 a rule pursuant to Section 121.22(F) of the
 11 Ohio Revised Code.

12 Bridey, would you do us a
 13 favor and give us a short and sweet?

14 MS. MATHENEY: Sure. So as
 15 you know, the Zoning Commission is a public
 16 body, and under Ohio's open meeting of laws,
 17 every public body must establish by rule a
 18 reasonable method whereby any person can
 19 ascertain and determine the time and place of
 20 all regularly-scheduled meetings, and the
 21 time, place and purpose of all special
 22 meetings. And that's usually done at the
 23 beginning of the year, but once it's done,
 24 then it's done until the rule changes. It's
 25 not something you have to do annually, but you

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1 do have to accept the rule. While on the
 2 township's website, it definitely says the
 3 Zoning Commission meets the first Tuesday of
 4 every month at 7 p.m., we need to establish
 5 that by rule.

6 Also, in addition, there has
 7 to be a rule that provides that any person may
 8 obtain advance notification of any meeting,
 9 and there is kind of like a way to do that,
 10 but we have to kind of establish this. It's
 11 just a technical, statutory requirement, and
 12 we need to comply with it.

13 I do have the language of the
 14 rule that you would have to read into the
 15 record to establish and then vote on.

16 THE CHAIR: Okay. Thank
 17 you.

18 MS. MATHENEY: You are
 19 welcome.

20 THE CHAIR: Well, with that,
 21 I would move to establish the following rule.

22 MR. IAFELICE: Mr. Chairman,
 23 may I ask a question before we move forward?

24 THE CHAIR: Go right ahead.

25 MR. IAFELICE: Bridey, as a

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1 rule, where it does it actually reside? Does
 2 it go into our resolution or is it in a code?

3 MS. MATHENEY: It does not
 4 go into the zoning resolution. It's just a
 5 resolution of the Zoning Commission and it
 6 gets posted on the website and that is really
 7 it. This is not a Zoning Amendment.

8 MR. IAFELICE: It's not,
 9 okay.

10 MS. MATHENEY: It is not.

11 MR. IAFELICE: Thank you.

12 THE CHAIR: I move to
 13 establish the following rule pursuant to
 14 Section 121.22(F) of the Ohio Revised Code as
 15 follows: Unless otherwise postponed or
 16 canceled, regular meetings of the Zoning
 17 Commission shall be held on the first Tuesday
 18 at 7:00 p.m. of every month in the calendar
 19 year at the Concord Township Hall Building
 20 located at 7229 Ravenna Road, Concord
 21 Township, Ohio 44077. Notice of the Zoning
 22 Commission's regular meeting schedule shall be
 23 made by posting notice of scheduled meetings
 24 with specific dates and times on the Concord
 25 Township website, which is www.concordtwp.com.

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1 Unless otherwise specified in
 2 the notice, special meetings shall be held at
 3 the same location as regular meetings. The
 4 notice of a special meeting shall specify the
 5 date, time, location, and purpose or purposes
 6 of the meeting, and will be posted on the
 7 Concord Township Website (www.concordtwp.com)
 8 within 24 hours of any special meeting.

9 Anyone, including the news
 10 media, who has requested advance notice of all
 11 meetings, shall be notified by the Secretary
 12 to the Zoning Commission and/or her designee
 13 of the date, time, location and purpose or
 14 purposes of any such special meeting at least
 15 24 hours in advance of the meeting. To
 16 request such advance notice, anyone, including
 17 the news media, shall provide the Secretary to
 18 the Zoning Commission and/or her designee in
 19 writing at Hfreeman@Concordtwp.com, with the
 20 mailing address, telephone number, and email
 21 address for purposes of giving such advance
 22 notification and a preference if advance
 23 notice shall be by mail or email.

24 In addition to the rule for
 25 meeting notices, all notices of public

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1 hearings of the Zoning Commission shall be
 2 given in accordance with the Concord Township
 3 Zoning Resolution.

4 MR. PETERSON: Why did you
 5 take out BZA?

6 THE CHAIR: Because we are
 7 not the BZA. We are the Zoning Commission.

8 MR. PETERSON: They do
 9 their own identical --

10 MS. MATHENEY: That's
 11 correct, they will.

12 MR. WIERTEL: Two points,
 13 and I don't know if it's critical or not. I'm
 14 not judging you, Hiram, but when Hiram was
 15 listing the website, it's www.concordtwp.com.
 16 You just missed that one dot, so I just wanted
 17 to be sure. I think it's important. And
 18 also, hfreeman@concordtwp.com, as well. You
 19 said Concord Township. I just wanted to make
 20 sure that we have it in there properly.
 21 That's all.

22 THE CHAIR: Okay. Thank
 23 you. I made a move.

24 MR. WIERTEL: I second it.

25 THE CHAIR: I moved.

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1 MR. PETERSON: You didn't
 2 make a motion yet.
 3 THE CHAIR: I make a
 4 motion. I move.
 5 MR. WIERTEL: I second that
 6 movement and motion.
 7 THE CHAIR: Roll call,
 8 please.
 9 MS. FREEMAN: Mr. Peterson.
 10 MR. PETERSON: Yes.
 11 MS. FREEMAN: Mr. Iafelice.
 12 MR. IAFELICE: Yes.
 13 MS. FREEMAN: Mr. Schindler.
 14 MR. SCHINDLER: Yes.
 15 MS. FREEMAN: Mr. Wiertel.
 16 MR. WIERTEL: Yes.
 17 MS. FREEMAN: And
 18 Mr. Reppert.
 19 MR. REPPERT: Yes.
 20 THE CHAIR: Thank you,
 21 everybody.
 22 Next on the agenda is Site
 23 Plan and Design Review Application #61; by
 24 Mike Lipowski, with Perspectus Architecture,
 25 is requesting site plan and design review

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1 approval for a project located at 7580 Auburn
 2 Road, being current parcel number
 3 08-A-019-0-00-045-0.
 4 Mike, if you would please
 5 state your name and address.
 6 MR. LIPOWSKI: Sure. Mike
 7 Lipowski, Perspectus Architecture, 1300 East
 8 Ninth Street, Suite 910, Cleveland, Ohio
 9 44114.
 10 THE CHAIR: Thank you. The
 11 floor is yours.
 12 MR. LIPOWSKI: I am here
 13 representing University Hospitals for a small
 14 building addition to their existing Physician
 15 Pavilion. The project, or the addition is
 16 part of a larger project that was just
 17 announced today. I don't know if you were
 18 able to forward that news press release to the
 19 committee here. University Hospitals is
 20 moving a Seidman Cancer Center to the TriPoint
 21 campus, a fairly large project, 40,000 square
 22 feet. The majority of it will be an interior
 23 renovation to the ground and first levels of
 24 that building. The program is all outpatient
 25 so that building is a business occupancy

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1 building. It will remain business occupancy.
 2 There will be no inpatients brought in from
 3 the hospital to the facility.
 4 The building addition that we
 5 are here to talk about is a small addition to
 6 house some radiology equipment that will serve
 7 the Radiation Oncology Department. The
 8 project was previously confidential, so I
 9 apologize for the vagueness of our submission
 10 in calling it Phase 2 addition.
 11 Phase 1 is a relocation of
 12 some of the existing tenants that have to move
 13 to upper floors of the building to allow for
 14 this renovation to happen. But I do have
 15 floor plans of the proposed Cancer Center if
 16 you'd like to see those or if you'd rather
 17 just talk about the addition, we can talk
 18 about that as well.
 19 THE CHAIR: Right now I'd
 20 say let's just discuss what is on the agenda.
 21 MR. LIPOWSKI: Okay. The
 22 addition is a small 2,500 square foot, single
 23 story addition. It's going on the west side
 24 of the existing Physician Pavilion. It faces
 25 the loading dock area of the hospital. We

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1 were able to find they still make the brick
 2 for the addition that we did back in, or the
 3 building we did back in 2018 I think. So we
 4 are going to be able to match the color,
 5 style, mortar.
 6 MR. WIERTEL: Is that going
 7 to be full, white brick, Mike?
 8 MR. LIPOWSKI: It will be
 9 four-inch brick here. That building was, if
 10 you recall, a thicker, structural block, but
 11 this will just be a face brick component.
 12 MR. WIERTEL: So it's face
 13 brick?
 14 MR. LIPOWSKI: It's face
 15 brick, yes.
 16 MR. WIERTEL: So it won't
 17 be full length. It will just be the lick and
 18 stick I call it, right, to a degree.
 19 MR. LIPOWSKI: So this
 20 building addition will actually house two
 21 linear accelerators. You will have three-foot
 22 thick concrete walls.
 23 MR. WIERTEL: I understand.
 24 Yeah, I know what they are.
 25 MR. LIPOWSKI: I did

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1 provide a photo of the existing extra
 2 elevation and the brick. We included some
 3 minor site plans that we had at the time. We
 4 do have civil engineers on the team. We are
 5 still working on the construction documents
 6 for the entire project and plan to submit
 7 those for building permit plan review at the
 8 end of the March but wanted to get ahead of
 9 this building addition process ahead of time.
 10 And I heard there was a
 11 tragedy with the mailing, and that some of the
 12 drawings may have been lost or run over by a
 13 truck, so I hope all the submission is there.
 14 I do have a copy of all full-sized drawings if
 15 there is anything you need in more detail.
 16 THE CHAIR: Access to this
 17 new radiology area is from where?
 18 MR. LIPOWSKI: So the
 19 existing main entry of the building will
 20 remain. The elevators will remain. It will
 21 be accessed from inside the building. There
 22 is no exterior doors on this small addition.
 23 MR. WIERTEL: If I'm not
 24 mistaken, the only thing I saw is the dumpster
 25 location, right? That hadn't been finalized

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1 yet, or had it been finalized? Am I wrong on
 2 that?
 3 MS. FREEMAN: The location
 4 was finalized.
 5 MR. WIERTEL: I'm sorry,
 6 the height.
 7 MS. FREEMAN: We had some
 8 questions regarding the details.
 9 MR. WIERTEL: Yeah, the
 10 details. It was all put together other than
 11 that. That was the only thing I saw.
 12 MR. PETERSON: I was going
 13 to go ask about the lack of windows but you
 14 answered my question.
 15 MR. LIPOWSKI: The building
 16 is getting additional upgrades, as well.
 17 There is some emergency generators, some
 18 utilities, new hot water tanks basically
 19 beefing up the infrastructure to allow for
 20 this new program.
 21 THE CHAIR: The generator
 22 exhaust goes where?
 23 MR. LIPOWSKI: Up.
 24 THE CHAIR: All the way up?
 25 MR. LIPOWSKI: It will be

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1 grade mounted. It will be adjacent to the
 2 addition. I think it's on a bit of a platform
 3 next to it. It's all exterior to the
 4 generator.
 5 THE CHAIR: The exhaust
 6 just goes above the pavilion?
 7 MR. LIPOWSKI: No. It will
 8 be roughly around the first floor elevation so
 9 the grade drops off a little bit from that
 10 lower ground level.
 11 THE CHAIR: Windows can't
 12 open on the pavilion?
 13 MR. LIPOWSKI: No. There
 14 is no operable windows on this building.
 15 THE CHAIR: Any air
 16 conditioning?
 17 MR. LIPOWSKI: They are up
 18 on the top of the third floor roof, so 50 feet
 19 above that.
 20 MR. PETERSON: What powers
 21 that generator, Mike?
 22 MR. LIPOWSKI: Diesel. It
 23 is diesel. You can't use natural gas.
 24 MR. WIERTEL: It is diesel
 25 you said, right? It can't use natural gas.

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1 MR. LIPOWSKI: Yeah. My
 2 home uses natural gas.
 3 MR. PETERSON: Right.
 4 MR. SCHINDLER: I would
 5 assume everything you've seen with the
 6 recommendations from the various departments,
 7 I would assume that you will meet all those
 8 requirements?
 9 MR. LIPOWSKI: Yes.
 10 THE CHAIR: Any other
 11 questions, comments?
 12 MR. IAFELICE: None here,
 13 Mr. Chairman.
 14 THE CHAIR: Mr. Peterson?
 15 MR. PETERSON: No, I'm
 16 good.
 17 THE CHAIR: John?
 18 MR. WIERTEL: No, sir.
 19 MR. SCHINDLER: Other than my
 20 concerns about meeting all the comments from
 21 the department, I'm fine with it.
 22 THE CHAIR: I'm good too.
 23 MR. IAFELICE: The motion is
 24 in order, Mr. Chairman, unless we need to read
 25 the eight conditions, I recommend conditional

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1 approval based upon the facts, comments of the
 2 eight listed items, and recommend conditional
 3 approval as noted, the staff recommendations.
 4 MR. PETERSON: I will
 5 second that motion.
 6 MR. WIERTEL: So just to be
 7 clear, you are making a motion that he is
 8 accepting the staff recommendations?
 9 MR. IAFELICE: Meaning the
 10 definition of conditional improvements.
 11 MR. WIERTEL: Yeah, I
 12 understand.
 13 THE CHAIR: Heather, do you
 14 want those read in?
 15 MS. FREEMAN: For the
 16 record, I think it would be best to get those
 17 into the record and then he can confirm that
 18 he can comply with those.
 19 MR. IAFELICE: Go back to
 20 my motion?
 21 THE CHAIR: Go back to the
 22 motion.
 23 MR. IAFELICE: Mr. Chairman,
 24 I would recommend the conditional approval and
 25 site plan and the design review application

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1 for number 61 based on the following
 2 conditions: Number 1: Revise the proposed
 3 dumpster enclosure plan to provide an 8 foot
 4 tall vinyl fence. The gate shall also be made
 5 of the same vinyl, and specify the color as to
 6 be proposed.
 7 Number 2: Provide light
 8 fixture details proposed for the exterior of
 9 building. Said fixtures shall be downward
 10 facing.
 11 Number 3: The proposed
 12 emergency generator should be screened with an
 13 8 foot fence instead of the 6 foot as
 14 proposed.
 15 Number 4: Provide floor plan
 16 for the addition and any related interior
 17 alterations.
 18 Number 5: Include an
 19 abbreviated stormwater pollution prevention
 20 plan for the demo and construction.
 21 Number 6: Include proposed
 22 finished grades for all corners of the
 23 building addition even if they are the same as
 24 the existing grades.
 25 Number 7: On the north side

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1 of the building between the generator and the
 2 enclosure on the building, please include
 3 language or show how there will be positive
 4 fallaway from the building foundation, as well
 5 as how it will drain out as the storm area
 6 proposed finished grade for the west corners
 7 are about the same.
 8 Number 8: The plans are
 9 subject to detail, review and revision by Lake
 10 County Stormwater Management Department.
 11 MR. SCHINDLER: And it's
 12 agreed that you will meet all of those
 13 conditions?
 14 MR. LIPOWSKI: Yes, sir.
 15 THE CHAIR: Do we have a
 16 second?
 17 MR. PETERSON: I second.
 18 THE CHAIR: Can we have a
 19 roll call?
 20 MS. FREEMAN: Mr. Peterson.
 21 MR. PETERSON: Yes.
 22 MS. FREEMAN: Mr. Iafelice.
 23 MR. IAFELICE: Yes.
 24 MS. FREEMAN: Mr. Wiertel.
 25 MR. WIERTEL: Yes.

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1 MS. FREEMAN: Mr. Schindler.
 2 MR. SCHINDLER: Yes.
 3 MS. FREEMAN: Mr. Reppert.
 4 MR. REPERT: Yes.
 5 THE CHAIR: You are
 6 officially approved.
 7 MR. LIPOWSKI: Thank you
 8 very much.
 9 THE CHAIR: Moving onto old
 10 business. Work session to review proposed
 11 zoning text amendments as outlined in the memo
 12 dated July 30, 2024 for modifications to
 13 district uses. That is tabled and I would
 14 like to continue the table.
 15 Number 2. Establish a
 16 designated final date for completion of the
 17 sidewalk in accordance with the agreement
 18 between Concord Township Zoning Commission and
 19 --
 20 MS. MATHENEY: Mr. Chairman,
 21 can you give me one minute while we switch,
 22 while I leave this part of the session?
 23 THE CHAIR: Oh, sure.
 24 MS. MATHENEY: Thank you.
 25 THE CHAIR: -- IN9 Group,

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1 LLC for the property located on Old Crile and
 2 Crile Road, that being parcel number
 3 08-A-020-0-00-048-0. This was tabled until
 4 the February 4th, 2025 meeting.
 5 Thank you, Bridey, very much.
 6 We now have Mr. James O'Leary
 7 coming on.
 8 MR. O'LEARY: Thank you,
 9 Mr. Chairman.
 10 THE CHAIR: We now have,
 11 the latest and greatest, is a memo to the
 12 Zoning Commission from Mr. Nekic, and he is
 13 the IN9 Group leader, whatever he may be.
 14 It says: "Dear Zoning Commission,"
 15 which is dated February 4, 2025.
 16 It says, "I am respectfully
 17 requesting that IN9 Group, LLC, (further
 18 known as IN9) be provided another month
 19 to appear before the Zoning Commission
 20 and provide additional information and
 21 discussion relative to the agreement
 22 between IN9 and Concord Township
 23 regarding the construction of a sidewalk
 24 on Crile Road. In furtherance of doing
 25 so, I am hereby requesting that the

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1 Zoning Commission please table the matter
 2 for considerations at its next meeting.
 3 The reason for this request is not
 4 for the purpose of delay. Given the
 5 weather and the snow cover which has
 6 existed on the parcel, I have had
 7 difficulties getting the proper parties
 8 to assist in the examination and
 9 inspection of the issues with the
 10 sidewalk. Additionally, the Thanksgiving
 11 and Christmas holidays also caused delays
 12 with contractors and the consultants who
 13 have been unable to devote their time and
 14 attention to this matter in a timely
 15 fashion. Again, this request is not for
 16 the purpose of delay but so that I can
 17 obtain all the necessary and appropriate
 18 information for the Zoning Commission so
 19 that it can appropriately evaluate and
 20 consider any further course of action
 21 with respect to the agreement between IN9
 22 and Concord Township.
 23 Additionally, as you are likely
 24 aware, we just opened both Little
 25 Mountain Creamery and Johnny's Auto Spa &

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1 Detail in late October (just prior to the
 2 Commission's meeting wherein this matter
 3 was brought back for consideration) and
 4 the press of business and time devoted to
 5 the two openings of brand-new businesses
 6 and the attendant challenges to get them
 7 up and running and to try and ensure
 8 their success and stability, along with
 9 my day-to-day business, and the untimely
 10 death of my brother-in-law (whose
 11 daughter is the manager of Little
 12 Mountain Creamery) on January 3rd, 2025,
 13 has severely derailed my efforts with
 14 respect to this matter. For that, I
 15 apologize, but I sincerely hope that this
 16 Commission finds this request to be
 17 appropriate and warranted.
 18 Finally, I truly regret not being
 19 able to attend your meeting this evening,
 20 but I discovered at approximately
 21 1:35 p.m. today that I would not be able
 22 to be there in person, and I was unable
 23 to find a proper representative to attend
 24 in my stead. For that, I apologize to
 25 all of you.

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1 Thank you for your time and
 2 consideration of my request. I very much
 3 appreciate any reprieve you may consider
 4 in light of the foregoing.
 5 Yours very truly, IN9 Group, LLC,
 6 John Nekic."
 7 MR. PETERSON: Comments?
 8 THE CHAIR: Sure. Let's
 9 go.
 10 MR. PETERSON: Based on
 11 what we have heard tonight, I just wonder
 12 what's the possibility of just reverting back
 13 to the agreement that we already have in
 14 place. It was a five year agreement to give
 15 him time to get his business established
 16 because there is only three more years
 17 remaining on that, a little more than three
 18 years. And if there is not going to be any
 19 sidewalk in Hunting Lake at the Todd Victor
 20 project, and the water line situation on the
 21 road there has to be resolved, what's the
 22 purpose of pushing forward on this to, again,
 23 what I call the sidewalk going nowhere?
 24 Nobody walks down there. And if there is not
 25 going to be a sidewalk where we thought there

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1 was, why can't we just drop it and go back to
 2 our original agreement, three remaining years?
 3 That gives us three years to solve all the
 4 related issues, and it won't hurt a thing, and
 5 it gives him a chance to get the business
 6 established. That's my opinion.
 7 MR. WIERTEL: I agree with
 8 what Rich has said wholeheartedly.
 9 THE CHAIR: Rich.
 10 MR. IAFELICE: I prepared
 11 some notes here, Mr. Chairman. I have three
 12 issues to bring forth here regarding this.
 13 The first was after reading
 14 the minutes of the December meeting, I was
 15 troubled by the reference to the fact that we
 16 gave variances. It's mentioned in here, and
 17 I'm sure it was just a slip of the tongue,
 18 using a term that wasn't appropriate. As we
 19 all know it was a conditional approval, just
 20 like we just gave the gentleman here for that
 21 project. The condition was construct the
 22 sidewalk before you grant a variance. I'm
 23 trying to point that out. Later in the
 24 minutes reflected, Ms. Freeman did correct
 25 that if you recall. She did say, hey, there

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1 is no variance, it was a condition. So that
 2 kind of set me the wrong way as I was reading
 3 through this because when this was initially
 4 here, I didn't approve in that condition, but
 5 the Board did, which was okay.
 6 THE CHAIR: We didn't
 7 approve?
 8 MR. IAFELICE: We voted. I
 9 didn't stick by what is required at the time
 10 so they would build the sidewalk along with
 11 the project. That was why I voted against it
 12 at the time because it was part of our plan.
 13 However, having said that, and
 14 in reading the minutes and the discussion, I
 15 took the time to go back to both comprehensive
 16 plans, and I read it thoroughly in detail.
 17 In multiple locations in the
 18 comprehensive plan, and particularly in the
 19 update, it refers to the town center core, and
 20 uses the word "core." In the plan when it
 21 endorses walkability, pedestrian access, it
 22 refers to the core center. And relative to
 23 the capital district, as also Ms. Freeman
 24 pointed out in the minutes, the zoning
 25 resolution states the Board may require a

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1 walk. It doesn't require. It says "may."
 2 And I didn't know that at the time when we
 3 first looked at this when it was first brought
 4 to our attention. That's a requirement in the
 5 capital district. Well, it says that "It
 6 may." So I was really troubled or confused by
 7 that. The core, what I believe the town
 8 center core, is west of 44. That's what I
 9 believe in reading the plan. The comprehensive
 10 plan describes it that way. And it talks
 11 about walkability and pedestrian access as
 12 west of 44. So, again, it troubled me.
 13 And then I bring forth, then,
 14 my third point was that given the development
 15 of Crile Road both north and south of Capital
 16 Parkway, and with consideration of what I
 17 interpret the comprehensive plan, is to the
 18 walkability of the town center core. And
 19 given the fact that the developers are
 20 requesting more time, this might be the
 21 opportunity for the township to study or
 22 re-evaluate the walkability, connectivity on
 23 Crile Road. Perhaps, it might come in the
 24 form of a public use path to connect to the
 25 Greenway Corridor at Girdled, Crile to

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1 Girdled, or Capital Parkway to Girdled to the
 2 south. Certainly, not to the north.
 3 So it might give an
 4 opportunity, giving them more time, but also
 5 incumbent upon the township to maybe do a
 6 study and kind of look at this. Is it still
 7 viable to consider pedestrian walkways on
 8 Crile Road? It's, certainly, the way it's
 9 developed. It's, certainly, the way it's
 10 gone. And in consideration of how close --
 11 the Greenway Corridor, I bike it a lot. So it
 12 goes down and connects to Ravenna, and then we
 13 kind of bike through Quail Hollow to get down
 14 to Girdled because there is nothing to Girdled
 15 unless you came down. So anyway, not to bore
 16 you with that.
 17 So that's where it's left with
 18 the issues, and I just wanted to bring that up
 19 for discussion knowing how the comprehensive
 20 plan was written and not having been around
 21 when the comprehensive plan was written, but
 22 the way I read it that's how I interrupt the
 23 meaning and intent of where walkability
 24 pedestrian was intended to be.
 25 But the capital district was

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1 drawn across 44 to the east side, and so I
 2 guess from there it was, then, interpreted to
 3 include the same type of pedestrian
 4 walkability within all of capital district
 5 where I think the comprehensive plan was
 6 intending to make it the town center core. So
 7 that's where I was at with that and wanted to
 8 bring that up for discussion.
 9 It might be an opportunity
 10 here for the township to take a step back and
 11 reconsider what the plan is for Crile between
 12 Capital and Girdled or around the Capital
 13 Parkway/Crile Road area.
 14 THE CHAIR: But don't you
 15 think that part of the town center on the west
 16 side, which is still out there in limbo, is
 17 now more on the east side of 44?
 18 MR. IAFELICE: If you ask
 19 me from a planning perspective, and I'm not a
 20 planner, but no, I don't think so. The
 21 roundabout is designed to create --
 22 THE CHAIR: Well, what is a
 23 lot different than the town center versus
 24 what's been developed on the east side, on the
 25 east side. So on the east side do we have

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1 sidewalks?
 2 MR. PETERSON: No, we
 3 don't. We have plazas but no sidewalks.
 4 MR. WIERTEL: There is no
 5 connectivity.
 6 MR. PETERSON: You can't
 7 walk from the Holiday Inn to the restaurants.
 8 MR. IAFELICE: The reason I
 9 bring it up, Crile can be viewed more as a
 10 marginal. Auburn Road is a little bit further
 11 away from 44. Crile can be used more of as a
 12 marginal where we have what we call the strip
 13 plazas, the stores, and retail and whatnot.
 14 It is not conducive to pedestrian walkways.
 15 And I can see that, and so, perhaps, as we go
 16 south to Capital, we need to maybe reconsider
 17 why that should be or not be endorsing or
 18 supporting pedestrian access or walkability.
 19 THE CHAIR: If we go from
 20 north of the Creamery up towards Capital and
 21 that gets developed, will we have sidewalks
 22 there?
 23 MR. IAFELICE: I'm not
 24 saying would be. I'm saying it should be
 25 studied and re-evaluated because there isn't

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1 that much there right now. Even with another
 2 development, there is -- again, now we are
 3 going past what -- I'm giving you planning
 4 thoughts, and I don't want to do that. But if
 5 you ask me if I wrote a comprehensive plan
 6 today, it certainly wouldn't reflect sidewalks
 7 on Crile Road in my opinion.
 8 MR. WIERTEL: I think your
 9 thoughts are great, and I think you are spot
 10 on and it's very well thought out, and I would
 11 agree with you on that as well.
 12 MR. PETERSON: If we would
 13 go back to the original agreement, we have got
 14 three plus years to see what happens.
 15 MR. IAFELICE: Right.
 16 MR. PETERSON: And then we
 17 might decide you have to build it or you don't
 18 have to build it at all.
 19 MR. WIERTEL: I think the
 20 perception of a town center right now on the
 21 east side of 44, Hiram, is probably because
 22 it's developed.
 23 THE CHAIR: Right.
 24 MR. WIERTEL: And if the
 25 town center, when the town center gets

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1 developed, that's going to be the town center.
 2 I think that's the perception right now.
 3 MR. IAFELICE: The concept
 4 of the town center in the plan is mixed use,
 5 not stores and retail that's on the east side.
 6 It's mixed use. I highlighted it. You will
 7 see it in there. It's multiple locations
 8 surrounding indicating the town center is the
 9 core. The township may require sidewalks. It
 10 doesn't even say "It shall be in the town
 11 center core." But, to me, it makes more sense
 12 being there, and I think that was, again, the
 13 conceptual plan.
 14 So in consideration of that, I
 15 did, and maybe this is for further discussion,
 16 I did prepare some verbiage for a couple of
 17 motions, as well, as soon as we have a
 18 complete discussion. Just so you are aware,
 19 Mr. Chairman.
 20 THE CHAIR: Mr. Schindler.
 21 MR. SCHINDLER: I think it all
 22 makes sense. I think the biggest thing to me
 23 would be, depending on the direction that the
 24 township is taking and the way the development
 25 is going, my biggest concern would be

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1 sidewalks would be necessary for the safety of
 2 the pedestrians. By looking at the way it's
 3 being developed, they wouldn't be walking
 4 around those areas anyway so why force them to
 5 be put in, right? So right now, basically, we
 6 have to see how the direction of the township
 7 continues to grow and to make our decision as
 8 it's growing in the direction that we have to
 9 consider for the safety, welfare of the
 10 pedestrians and the public. If you look at
 11 zoning, basically if you look in our laws, it
 12 says that we take all of that into
 13 consideration.
 14 MR. PETERSON: To that
 15 point, bike lanes would make more sense than
 16 sidewalks.
 17 MR. SCHINDLER: Probably
 18 so. Probably so.
 19 MR. WIERTEL: Crile is
 20 county?
 21 MR. IAFELICE: Right.
 22 Crile is a county road, right.
 23 MR. SCHINDLER: So based on
 24 that being said, what should we do tonight in
 25 regards to --

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1 MR. WIERTEL: I think I'd
 2 like to hear Rich's motion. I mean, you've
 3 worked so hard on it, you've got my attention.
 4 MR. IAFELICE: Let me read
 5 the draft and we can play with it and then
 6 counsel might consider the way I worded it.
 7 The first was to request the
 8 Concord Township Trustees initiate on behalf
 9 of our Board, making a motion to request the
 10 trustees initiate a study to examine the
 11 feasibility and alignment of considerations to
 12 promote walkability and pedestrian access
 13 along Crile Road from Capital Parkway to
 14 Girdled Road. And that was just scratch
 15 today, okay. I just thought of that.
 16 The second part of that in
 17 consideration of that request, a motion that
 18 the Zoning Commission review the status of the
 19 requirement for sidewalks on Girdled Road
 20 referenced in our agreement with the IN9 Group
 21 in July 2026.
 22 MR. WIERTEL: On Crile
 23 Road. You said Girdled.
 24 MR. IAFELICE: Did I say
 25 Girdled?

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1 MR. WIERTEL: Yes, you did.
 2 MR. IAFELICE: On Crile
 3 referenced in our agreement with IN9 Group in
 4 July '26. It's just about 18 months. Like
 5 let's check back in 18 months to see what's
 6 going on because I don't know the trustees
 7 would study it, examine, if we made that
 8 motion if we agree. And it's kind of like
 9 what we've already heard earlier today.
 10 THE CHAIR: Does that give
 11 us enough time?
 12 MR. PETERSON: Well, we are
 13 good until '27 with the original agreement.
 14 MR. IAFELICE: We are good
 15 until April of '28.
 16 MR. PETERSON: '28.
 17 MR. IAFELICE: It's five
 18 years. April of '23 is the agreement.
 19 MR. PETERSON: Is that when
 20 we did that?
 21 MR. IAFELICE: Yeah.
 22 MR. PETERSON: Why don't we
 23 just go with that date?
 24 MR. IAFELICE: What it says
 25 there is it's null and void April of '28. The

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1 agreement is null and void. So I threw out 18
 2 months as a way to just say --
 3 MR. WIERTEL: And that's
 4 July of '26 or July of '27?
 5 MR. IAFELICE: It's 18
 6 months. It's July of '26.
 7 MR. O'LEARY: If I might,
 8 Mr. Chairman. Mr. Chairman.
 9 THE CHAIR: Yes. I'm
 10 sorry.
 11 MR. O'LEARY: I love both
 12 of those recommendations. I would just flip
 13 them because what's really for consideration
 14 before the Commission tonight is the
 15 establishing a final date of the sidewalks
 16 pursuant to the conditional that was passed in
 17 '23. And so I think you need to address that
 18 first whether you decide to kick it and table
 19 it until July of '26 or the end of '26. It's
 20 entirely up to the Board. Then as a result of
 21 that, then I would make the motion to request
 22 that the Board of Trustees re-evaluate the
 23 whole idea of the walkability and what you put
 24 in that other motion.
 25 MR. PETERSON: That should

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1 go through, yeah. That's important.
 2 THE CHAIR: And what was
 3 your third?
 4 MR. IAFELICE: That was it.
 5 I had three points to bring up, which I did,
 6 and two motions.
 7 THE CHAIR: Two motions,
 8 all right.
 9 MR. WIERTEL:
 10 Well-thought-out, Rich.
 11 MR. IAFELICE: Thank you.
 12 Take a look at the '15 update. Again, it's my
 13 interpretation, and I believe Heather's, as
 14 well, that is the way the plan conceived the
 15 town center and core. That's how my take-away
 16 is, my understanding of it.
 17 THE CHAIR: Any other
 18 discussion?
 19 MR. PETERSON: If I made a
 20 motion that we just revert back to the
 21 agreement we already have that's in effect, is
 22 that a valid motion? Would that be a valid
 23 motion just to enforce the agreement that
 24 we've already signed?
 25 MR. O'LEARY: Well, I think

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1 that it's a valid motion. The only concern I
 2 have is what was raised in the prior issue,
 3 which is if you don't establish a point in
 4 time where there is discussion about where are
 5 we and what are we looking at far enough ahead
 6 of time, if you wait until you get to '28,
 7 then you've put yourself at a point where you
 8 are going to either have to force them to do
 9 it or --
 10 MR. PETERSON: Drop it.
 11 MR. O'LEARY: -- you are
 12 going to have to drop it. So by doing a
 13 review point, whether it's 18 months or 24
 14 months or whatever would make sense under the
 15 circumstances.
 16 MR. WIERTEL: Good point.
 17 MR. O'LEARY: And I think
 18 part of that is how much time do the trustees
 19 need to go back and clarify this issue whether
 20 it's directly related to the town center
 21 concept or to the Crile Road and the Capital
 22 Parkway Development.
 23 MR. IAFELICE: I was
 24 thinking about that and maybe putting the
 25 thumb down and giving them three months. But,

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1 no, I know how government moves. I just split
 2 the remaining three years. So, if, indeed we
 3 need something, that allows '26, '27 to get
 4 something done.
 5 MR. O'LEARY: And it
 6 doesn't mean that you have to take action at
 7 that meeting. You can table that further for
 8 another 6 months, 18 months, whatever.
 9 MR. IAFELICE: I will just
 10 re-read the motion that the Zoning Commission
 11 review the status of the requirement for
 12 sidewalks as referenced in our agreement with
 13 IN9 Group, LLC in July of 2026.
 14 MR. PETERSON: Make that
 15 motion.
 16 MR. O'LEARY: He just did.
 17 MR. IAFELICE: I just
 18 re-read it.
 19 MR. PETERSON: That's it?
 20 MR. IAFELICE: Yeah.
 21 MR. PETERSON: I second
 22 that motion.
 23 THE CHAIR: Any discussion?
 24 MR. SCHINDLER: I'm fine.
 25 THE CHAIR: Mr. O'Leary,

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1 are you okay with that one?
 2 MR. O'LEARY: I am.
 3 THE CHAIR: Okay. Let's
 4 have roll call, Heather.
 5 MS. FREEMAN: Mr. Peterson.
 6 MR. PETERSON: Yes.
 7 MS. FREEMAN: Mr. Reppert.
 8 MR. REPPERT: Yes.
 9 MS. FREEMAN: Mr. Schindler.
 10 MR. SCHINDLER: Yes.
 11 MS. FREEMAN: Mr. Iafelice.
 12 MR. IAFELICE: Yes.
 13 MS. FREEMAN: Mr. Wiertel.
 14 MR. WIERTEL: Yes.
 15 THE CHAIR: Heather, will
 16 you let them know of the motion tonight, IN9?
 17 MS. FREEMAN: Yes. I can
 18 send correspondence to them regarding the
 19 motion that you guys made tonight.
 20 THE CHAIR: And say, you
 21 know, we are more than willing to sit down and
 22 discuss it with them and everything like that.
 23 MS. FREEMAN: If you'd
 24 like, I can draft something up and have you
 25 look at it before I send it.

1 THE CHAIR: Okay. Rich
 2 Iafelice, motion number two.
 3 MR. IAFELICE: The second
 4 motion. Thank you. I would also motion to,
 5 on behalf of the Concord Township Zoning
 6 Commission, to request the Concord Township
 7 Trustees initiate a study to examine the
 8 feasibility and alignment considerations to
 9 promote walkability and pedestrian access
 10 along Crile Road from Capital Parkway to
 11 Girdled Road.
 12 MR. WIERTEL: I second that
 13 motion.
 14 THE CHAIR: Discussion.
 15 Any comments? Okay, let's have roll call.
 16 MS. FREEMAN: Mr. Schindler.
 17 MR. SCHINDLER: Yes.
 18 MS. FREEMAN: Mr. Peterson.
 19 MR. PETERSON: Yes.
 20 MS. FREEMAN: Mr. Iafelice.
 21 MR. IAFELICE: Yes.
 22 MS. FREEMAN: Mr. Wiertel.
 23 MR. WIERTEL: Yes.
 24 MS. FREEMAN: Mr. Reppert.
 25 MR. REPERT: Yes.

1 The State of Ohio,) CERTIFICATE
 2 County of Cuyahoga.)
 3 I, Lisa A. Stropko, Court Reporter
 4 and Notary Public within and for the State of
 5 Ohio, duly commissioned and qualified, do
 6 hereby certify that the foregoing is a true,
 7 correct and complete transcript of my
 8 stenotype notes to the best of my ability,
 9 which were taken at the time and place in the
 10 foregoing caption specified.
 11 I do further certify that I am not a
 12 relative or counsel of either party, or
 13 otherwise interested in the event of this
 14 action.
 15
 16
 17 Lisa A. Stropko, Notary Public
 18 In and for the State of Ohio.
 19 My commission expires March 23, 2028
 20
 21
 22
 23
 24
 25

1 THE CHAIR: Okay. The
 2 next meeting is March 4th, 2025.
 3 Do we have a motion for
 4 adjournment?
 5 MR. PETERSON:
 6 Mr. Chairman, I motion that we adjourn the
 7 meeting.
 8 MR. IAFELICE: I will
 9 second that.
 10 THE CHAIR: All those in
 11 favor.
 12 MR. SCHINDLER: Aye.
 13 MR. PETERSON: Aye
 14 MR. IAFELICE: Aye.
 15 MR. WIERTEL: Aye.
 16 MR. REPERT: Aye.
 17 THE CHAIR: Aye. We're done.
 18 -----
 19 (Meeting Adjourned 8:25 p.m.)
 20 -----
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