

CONCORD TOWNSHIP ZONING COMMISSION
LAKE COUNTY, OHIO
MEETING

February 2, 2010

Concord Town Hall
7229 Ravenna Road
Concord, Ohio 44077

7:00 p.m.

TRANSCRIPT OF PROCEEDINGS

Zoning Commission members present:

Larry Wentz, Chairman
Andrew Lingenfelter, Vice Chairman
Frank Schindler
Morgan McIntosh
Richard Peterson, Alternate

Also Present:

Kathy Mitchell, Zoning Commission Secretary,
Zoning Inspector

Michael Lucas, Esq., Legal Counsel

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7:00 p.m.

CHAIRMAN WENTZ: Good evening. I would like to call the meeting of the Concord Township Zoning Commission for Tuesday, February 2nd, to order. We have two main pieces of business. The first has been requested to be tabled, which is the public hearing for the Zoning Amendment 0909-132, so we will go immediately to the second piece of business, which is a public hearing for the proposed Town Hall Corridor zoning map amendments, as recommended by the Concord Township Zoning Commission.

I would like to make a few comments, first. I will read all the parts of it before we begin, but just to make sure that we all know how we got where we are, for the past few years, we've been evaluating various parts of Concord Township to determine whether the zoning patterns are reasonable or logical for the possible future development. And the 2004 Comprehensive Plan made a number of recommendations, one of them had to do with the uses in the area here around Township Hall. And we've been undertaking a study of that for some time and we've had some input from the Lake County Planning Commission, as well as residents, and we adopted new regulations for these districts and updated the permitted uses.

The next step, where we are now, is to begin a process of rezoning some of the land within this corridor based on the strategies that have been developed. We can modify where we come out of that based on our public hearing, input from the Planning Commission, and our own deliberations here tonight. In any case, where we do come out goes to the trustees following our action.

1 I'll read all the parts of this and I would like to
2 discuss, have the hearing discuss all the sections as one. And
3 we're not going to restrict anybody to talk about one or the
4 other, and we will hear all views for and against at one time
5 as we go through the audience for anyone who wishes to speak.

6 A. Rezone the following properties situated west of
7 Ravenna Road on Concord-Hambden Road from the M, Manufacturing
8 District, to the THN, Town Hall Neighborhood District. The
9 properties north of Concord-Hambden Road and subject to this
10 proposed rezoning include Permanent Parcels Number 8A-14-39,
11 8A-14-12, and 8A-14-11. The properties to the south of
12 Concord-Hambden Road and subject to this proposed rezoning
13 include Permanent Parcels Number 8A-13-2 and 8A-13-3.

14 B. Rezone Permanent Parcels Number 8A-14-14 and
15 8A-14-10 situated west of Ravenna Road and north of Concord-
16 Hambden Road from the R-1, Residential District, to the THC,
17 Town Hall Commons District.

18 C. Rezone Permanent Parcels Number 8A-13-36,
19 8A-13-4, 8A-13-5, and 8A-13-10 situated west of Ravenna Road
20 and south of Concord-Hambden Road from the B-1, Restricted
21 Retail District, to the THC, Town Hall Commons District.

22 D. Rezone Permanent Parcels Number 8A-13-8 and
23 8A-13-9 situated west of Ravenna Road and south of Concord-
24 Hambden Road from the R-1, Residential District, to the THC,
25 Town Hall Commons District.

26 E. Rezone Permanent Parcel Number 8A-13-55 situated
27 west of Ravenna and south of Concord-Hambden Road from the R-2,
28 Planned Unit Development District, to the THC, Town Hall
29 Commons District.

30 And, finally, F. Rezone the following properties

1 east of Ravenna Road and to the north and south of Concord-
2 Hambden Road from the B-2, General Business District, to the
3 THC, Town Hall Commons District. The properties north of
4 Concord-Hambden Road and subject to this proposed rezoning
5 include Permanent Parcels Number 8A-14-8, 8A-14-68, 8A-14-9,
6 8A-5-35. The properties to the south of Concord-Hambden Road
7 and subject to this proposed rezoning include Permanent Parcels
8 Number 8A-5A-5, 8A-5A-4, 8A-5A-3, 8A-5A-2, 8A-5A-6, and
9 8A-5A-7.

10 At this point, I'd like to give everybody who has
11 some comments in this a chance to be heard. And I will comment
12 that if you have something that's already been said, when you
13 have your turn, just simply say that you support that unless
14 you've got something new to add at that point. I will
15 recognize you one at a time and you come up and state your
16 name, address, and be sworn in.

17 MR. LINGENFELTER: Excuse me, Mr. Chairman. I have a
18 question, and maybe this would be appropriate for you, too, as
19 well, Mike. Would we approach this as a separate vote for
20 each, each paragraph here, A, B, or are we going to just have a
21 public hearing on all of them and then vote on the entire
22 rezoning at one time?

23 MR. LUCAS: Well, number one, I think the chairman —
24 and I know you are not questioning this, Andy. I think the
25 chairman has the authority to hear the entire proposal as a
26 single subject matter for purposes of public input at the
27 public hearing. And that when you're dealing with these
28 specific types of rezoning issues, I think particularly where
29 there is a series that are here tonight, six of them, it would
30 be my suggestion that mafter the public hearing is closed and

1 if you wish to proceed forward, that each of the six be dealt
2 with by separate motion.

3 CHAIRMAN WENTZ: That is, in fact, my intention.

4 MR. LUCAS: Right. I assumed that.

5 CHAIRMAN WENTZ: I'd like to discuss them all at once
6 and take them one at a time.

7 MR. LUCAS: You are wise.

8 MR. LINGENFELTER: Because —

9 MR. LUCAS: Because you agree with me.

10 CHAIRMAN WENTZ: All right.

11 MR. LINGENFELTER: I was just curious how we were
12 going to procedurally handle this so that everybody understood.

13 CHAIRMAN WENTZ: I have to rest after reading all the
14 amendments.

15 MR. LINGENFELTER: Yes, take a sip of water.

16 CHAIRMAN WENTZ: Okay. I'd like to start on my left,
17 your right, and ask who in that third row would like to make
18 any comments with regard to this.

19 Would you state your name and address?

20 MR. LEMR: Yeah. My name is Jack Lemr, 7262 Ravenna
21 Road.

22 CHAIRMAN WENTZ: Do you swear to tell the truth and
23 nothing but the truth?

24 MR. LEMR: Yes, I do.

25 CHAIRMAN WENTZ: Thank you.

26 MR. LEMR: The question I have is, when they first
27 proposed this back a year ago, we were going to do this all on
28 one platform. Now they've broken down into separate, six
29 separate things. Why did they do that? Why didn't they just
30 take and do, rezone this whole area instead of — I mean,

1 something must have happened for them to look at it different
2 then what they did a year ago.

3 CHAIRMAN WENTZ: We have to rezone the parcels.

4 MR. LEMR: Right.

5 CHAIRMAN WENTZ: And the plan really did look at two
6 districts and we described what was included in the two
7 districts, but at this point it's a matter of taking each
8 parcel.

9 MR. LEMR: So they're going to zone individual
10 parcels now instead of the whole thing?

11 CHAIRMAN WENTZ: Well, we have to group them.

12 MR. LEMR: Right.

13 MR. LINGENFELTER: There is five — One of the issues
14 is there is five separate zoning classifications that are
15 involved in this entire rezoning.

16 MS. MITCHELL: Existing.

17 MR. LINGENFELTER: Yeah, so there is five different,
18 there is five different classifications.

19 MR. LEMR: You can still end up with, they're not all
20 going to be Town Hall Commons?

21 MR. LINGENFELTER: Right. They'll either be THN or
22 THC. We're going to condense five different zoning
23 classifications down to two.

24 MR. LEMR: Okay.

25 CHAIRMAN WENTZ: This has also no impact on property
26 valuations unless a piece of property changed hands, something
27 was built on a vacant parcel.

28 MR. LEMR: Right. Well, I'm interested in getting
29 that sewer going because I need to get it to tap into that, so
30 the sooner this gets done, the better. That's all I had to

1 say.

2 CHAIRMAN WENTZ: Okay. Thanks.

3 Anyone else in that row? The last row, comments? I

4 imagine the first and second row, you are not commenting.

5 Fourth row?

6 State your name and address.

7 MR. CORMACK: My name is Craig Cormack. I own the

8 property at 7220 Ravenna Road.

9 CHAIRMAN WENTZ: Do you swear to tell the truth and

10 nothing but the truth?

11 MR. CORMACK: I do. I do. I know we talked last

12 spring and I don't remember what I said, so I have a few

13 comments to make unless you remember what I said. So, you

14 know, the only thing I wonder, like, the history of what

15 happened with this rezoning, the stated purpose of Town Hall

16 Commons and Town Hall Neighborhood is to preserve, as I

17 understand, the historical nature of Concord.

18 Now, I mean, if we look at what the corner is right

19 now, there really are only four buildings that could even be

20 considered somewhat historical: This building we're in now,

21 Town Hall, which has been renovated; the brown house at the

22 corner of Painesville-Ravenna Road and 608, which has been

23 modified many times from 1822; the old school house, which has,

24 I mean, some of the people of Concord have done a wonderful

25 job, I want to say, to restore the outside and to make the

26 inside useable, which wasn't, obviously, because of the

27 deterioration of the building, they couldn't restore it to what

28 it was before. But it's a beautiful building and it's a great

29 asset to Concord and I hope people understand that.

30 So I guess what I am getting at is — and, I guess,

1 the fourth building is the building that we own, that's Maple
2 Ridge Garden Center. It has a deed that says 1910, but the
3 actual structure inside was probably put up in the 1830s. And
4 I'm not about to rip out the inside to show the people that
5 there is an historical building down below.

6 So, I mean, I guess there really isn't a lot to
7 preserve architecturally. I mean, maybe there is an image to
8 preserve of what Concord was and where it's going. But by
9 using that as a criteria to change the zoning, I mean, I'm not
10 against it but it just seems kind of vague to use that as a
11 justification to change the zoning. So that's one thing that
12 I've always had a little bit of a problem with.

13 You know, the whole nature of this corner eventually
14 is going to change. The township has five and a half million
15 dollars to put up a new Town Center, which would be over at
16 the — get this right — it would be the northeast corner, of
17 which that old brown house is at. So, I mean, I suppose that
18 would be done in an architecture and that would be fitting of a
19 Western Reserve, which is good. And, you know, some day, it
20 will happen and that will be good. That would be good that the
21 township moves forward.

22 And it seems that, you know, when this all happened,
23 you know, when the sewer line initially took place, the sewer
24 line that was put in two or three years ago that was supposed
25 to — I guess, one of the stated purposes was to bring sewer to
26 the Town Hall but Town Hall hasn't even been hooked to that.
27 But, you know, when it was put in, some properties received
28 connections, other properties didn't receive connections. And
29 then this rezoning came about. And I'm not trying to put the
30 two together but it's been some of the vague ideas that have

1 been happening at this corner, and it's just that there has
2 been a lot of ambiguities about it.

3 Even when the Lake County Planning Commission
4 examined this thing last spring, I remember going to the
5 meeting and there was a map put up and the map showed the Town
6 Hall Commons, Town Hall Neighborhood, and at that time it
7 listed the different uses of the property which would be
8 rezoned. Our property, which, which is right now B-1, which
9 allows most retail, some contingent to the Zoning Commission
10 approving, but it showed that going to Town Hall Commons and
11 the other property, Manufacturing, going to Town Hall
12 Neighborhood.

13 I remember at that time asking the Lake County zoning
14 people, "Is that the working map? Does that actually reflect
15 what would happen?"

16 And the one fellow, David, who was the head of that,
17 he told me at the time, he said, "No. That's just a working
18 idea of what would happen." At least from my standpoint, I
19 went out of that meeting thinking, okay, we're going to come
20 into the zoning meeting and see what ideas would come up with
21 the use of the properties. And then, all of the sudden, I'm
22 blindsided, telling me that my property, which is zoned B-1,
23 can no longer be used for any business uses and that other than
24 a contingent — a restaurant contingent on whether or not it
25 could be zoned, that instead it can only be used for government
26 building or a museum or a library or a professional office
27 building. At that time, you know, I'm upset because, all of
28 the sudden, I have a piece of property that is being zoned into
29 worthlessness.

30 I guess, the reason I am going through this again,

1 because I can't quite remember what I said and you may not
2 quite remember what I said, so I am not trying to repeat
3 myself.

4 So that's when, at that point, obviously, anyone in
5 my position would be a little upset with what's happening. So
6 from, even from the beginning, I am not saying we were misled
7 but it never accurately, accurately reflected what the changes
8 that were about to take place.

9 So I guess we have other meetings. I remember at the
10 other meetings some of the uses were changed to allow what
11 would be called professional services. And I guess what a
12 professional service would be like a hairdresser or a tailor or
13 some uses such as that. And, even now, I'm even more confused
14 about that. Maybe Michael could help out.

15 On a professional service, would that mean if someone
16 had a hairdresser, would they be allowed to retail, you know,
17 hair care products, like almost all hair dressers do? Would a
18 tailor be able to sell the clothing that someone left behind or
19 is that —

20 MR. LUCAS: Well, Craig, first of all, I want to make
21 sure you and I are on the same page. When you're saying — You
22 mean personal services, right?

23 MR. CORMACK: Excuse me. Personal services, yeah. I
24 apologize.

25 MR. LUCAS: No, no, that's all right. I just wanted
26 to make sure.

27 MR. CORMACK: Professional services would be, I
28 guess, the office building.

29 MR. LUCAS: A lawyer.

30 MR. CORMACK: Yeah, a lawyer, exactly.

1 MR. LUCAS: Right. I'm sure I'm not welcome in that
2 district.

3 MR. CORMACK: Thanks for helping me on that.

4 MR. LUCAS: No, no, that's all right.

5 MR. CORMACK: So what does that mean?

6 MR. LUCAS: Well, I think it means as a primary use,
7 personal services, such as cutting hair, salons, things like
8 that.

9 MR. CORMACK: Sure.

10 MR. LUCAS: But I also think incidental to the
11 primary use, selling hair products is customarily used in
12 salons and that, so that would be permissible as well.

13 MR. CORMACK: Okay. So, I mean, for example, would a
14 tux shop, would that be — if someone rented tuxedos, would
15 that be considered a personal service? You know what I mean?
16 All of the sudden now —

17 MR. LUCAS: Yeah, I think that's more — You know
18 what? I would have to think on that but my initial impression
19 would be, I don't think so, because that's not a service where
20 the person is performing an individual task for a patron. That
21 would be like a retail operation.

22 MR. CORMACK: Yeah. But there are a number of
23 things. A photographer would be, that would be a personal
24 service.

25 MR. LUCAS: I think so because, again, using what I
26 just said, Craig, that person would be doing a hands-on
27 performance task for a patron coming in.

28 MR. CORMACK: But they couldn't sell film.

29 MR. LUCAS: Well, I think, as a secondary and
30 incidental use of the primary use, I think they could sell

1 film.

2 MR. CORMACK: I guess that's what I am leading to.

3 Now, all of the sudden, I am not saying it's vague but now we
4 have to create a whole new classification of what personal
5 service is.

6 MR. LUCAS: I don't think you do. Those are, with
7 all due respect to you, Craig, those are just examples of what
8 a personal use would provide, some — not to be redundant —
9 some example of what a type of personal service would be. If
10 you asked me, independent of those, what I considered to be a
11 personal service, I would define it as something where the
12 individual proprietor of the establishment performs a personal
13 task for a business invitee coming onto the property, which
14 would be cutting your hair, taking your picture, doing a
15 pedicure.

16 MR. CORMACK: So what about, for example, what about
17 a florist who people come on their property, you know, someone
18 who is grieving, to purchase flowers for a funeral, does that
19 become a personal service?

20 MR. LUCAS: I think we need — Well, I'll tell you
21 what. If the florist does a floral arrangement —

22 MR. CORMACK: Which they do.

23 MR. LUCAS: — yeah, I think that would be a personal
24 service.

25 MR. CORMACK: Okay. So then, so then most florist
26 shops sell cards and gifts and stuffed animals. You see what I
27 am leading to? I mean, first of all, I am not really against
28 some restricted use of retail in this area. I mean, I don't, I
29 don't want to be a jerk and be like George and George's Dinner
30 Bell, you know, open up a petting —

1 MR. LUCAS: I don't think anybody thinks you're a
2 jerk, Craig.

3 MR. CORMACK: No. I mean, I'm just saying open up a
4 petting farm. I never came to you and said I'm going to open
5 up a used car lot — you know what I mean — open a rental.

6 MR. LUCAS: Right.

7 MR. CORMACK: I mean, I want to work for the
8 community, but what I am getting at is by having this one
9 classification of retail which now overlaps into many retail
10 services, then — but the woman who wants to have a dress
11 boutique or the guy who wants to have a wine shop can't do that
12 because those aren't really professionals or, I mean, personal
13 services.

14 MR. LUCAS: Right.

15 MR. CORMACK: But, technically, if the florist gets a
16 license, they can sell wine. You know, I guess what I am
17 getting at is, it kind of opens up a can of worms of
18 definition. So I just wanted to bring that up. I don't want
19 to keep dwelling on it because everyone has other things to do
20 but that's one thing I just wanted to bring up because that's
21 the way I look at it.

22 I mean, another thing that I look at, too, by
23 restricting the uses of these properties around here, when I
24 first heard about it, you know, someone brought up, well, you
25 know, like Crocker Park or what was done at 615 and Route 20,
26 that mixed use residential retail, I thought, well, this is
27 great. This, done tastefully, you know, with architectural
28 guidelines so we don't get a red and white McDonald's or a
29 prefab Waffle House, to be more in keeping with what was the
30 historical nature of Concord when we look back when Concord was

1 first founded, I mean, I am all for restrictions on
2 architecture because that does, that stops what is just a
3 mishmash of red and white McDonald's and stuff like that.

4 When McDonald's went up, we should have had
5 guidelines that said, you know, McDonald's needs to be of
6 Western Reserve architectural style much like they did in
7 Hudson. I think we need to be very careful in Concord to not
8 allow this whole, kind of, mixed bag of architecture, so I'm
9 not against that.

10 So I guess, again, I go back to retail. I like to be
11 able to have the option to be able to, some day — I am not
12 saying now — you know, if we wanted to put a small strip
13 center up, to allow those people to come in and put in a
14 boutique, a wine shop, the little personal, what — I don't
15 want to say personal but they are, to me, personal services,
16 the things that people of Concord might want. Right now, if I
17 want to go get my film developed, I have to go to Chardon or I
18 have to go to Painesville. And I don't know if there is any
19 talk of a drug store around or, for example, if, some day when
20 the road gets put in from — which will be soon — from Auburn
21 Road to 44 connecting Crile, there is talk of retail there,
22 which will be nice if something like, you know, a Legacy
23 Village of small scale goes in.

24 But what's going to happen when that goes in, the
25 rents are going to be so prohibitively expensive that that
26 woman who wants to have a small dress boutique or that wine
27 shop or whatever can't even think about going there because
28 they can't afford the 3, 4, 5 thousand dollars a month to do
29 that. I would like to have the option, if I wanted to do that,
30 to be able to put in some small, affordable retail, or not me

1 or someone else who comes along.

2 So that's kind of my whole contention. I mean, I am
3 not against changing the zoning and I am not against, you know,
4 some restriction that prevents a car wash, prevents a gas
5 station, prevents a used car lot, prevents, you know, a big
6 rental yard, Nations Rents, which they aren't going to do that
7 because it's not — I shouldn't say that. Those kind of uses,
8 you know, in some ways would devalue, you know, the value of
9 the property. But I just wish that we would look into this
10 whole thing about retail a little more carefully.

11 MR. LINGENFELTER: You know what, Craig? It concerns
12 me with what you are saying because you are portraying, you are
13 portraying the zoning rules and regulations like we don't have
14 any clear definitions of what can and cannot take place in
15 certain retail environments, and that's not true. Okay? It's
16 very, very clear. We have very clear definitions as to what
17 retail activities can take place under specific retail
18 designations within the township. It's very clear.

19 MR. WEBB: What are they?

20 MR. LINGENFELTER: So you cannot, if it's excluded
21 from the zoning text, then by the rules and regulations we
22 have, it's prohibited. You cannot put it in. So if you've got
23 a hairdresser salon or a card shop or a florist, for instance,
24 and the florist is allowed to sell flowers and do arrangements,
25 they can't, if they're not allowed to sell cards and teddy
26 bears and other things, they can't do it. It's very clear.
27 There is a definition. Everything is set up through the SIC
28 codes with all the classifications. We went through a
29 completion conversion of this a while back, and we were very,
30 very careful to make sure that we had very clear definitions,

1 what's allowed, what's not allowed. And by rule and by law, if
2 it's not in, it's not allowed.

3 So, you know, you start to portray or you paint a
4 picture as if this is very, you know, very gray and very wishy-
5 washy as to what's allowed and what isn't. If they want to
6 start doing this and go there and do that and kind of stray
7 outside of lines that they can because it's not clearly
8 defined. Well, I think it is very clearly defined, and I think
9 that you just need to really take some time and read the text
10 and read the definitions and make sure that you understand what
11 is allowed and what isn't allowed.

12 MR. CORMACK: I do, Andy. And I am not trying to —
13 What I am talking about is, all of the sudden, we have a new, a
14 whole — we have a new classifications. That's all I am
15 getting at. That's what I am trying to tell Michael. Now, all
16 of the sudden — I never said that, never even tried to portray
17 Concord as not having regulations. That's very obvious.

18 MR. LINGENFELTER: No. But when you bring up points
19 of, like, people opening up a business and then deciding they
20 want to, you know, start selling film instead of being a
21 photographer, that starts to blur the lines and then everybody
22 starts thinking, Well, gee, then that must mean that
23 everything is kind of open to interpretation, and I don't think
24 it is. It's pretty clear.

25 MR. CORMACK: If we're going to change, if we're
26 going to change the zoning to a zoning that doesn't exist
27 anywhere else, it does. I mean, it does. I think Mike would
28 have to agree. Now, all of the sudden, there is a new, a whole
29 new way of zoning. I mean, show me someplace in Ohio where
30 that, like, a Town Hall Commons, Town Hall designation like

1 this. I mean, what do they do? How do they handle retail? I
2 mean, it is.

3 What if I want to say, Okay, I am going to take them
4 to court because it doesn't really tell you what it is. That's
5 all I am saying, Andy. I am not trying to, I am not for a
6 minute trying to say that Concord doesn't have regulations and
7 does a good job of it with Kathy. I mean, that's not the point
8 I am making. As a citizen of Concord, what I am trying to
9 tell, what I am trying to suggest is now we have a totally
10 different classification.

11 MR. LINGENFELTER: But within that classification
12 though, Craig, there are very specific definitions of things
13 that are allowed and those exist else somewhere within the
14 township. It is not like it is something new that we put in
15 that is inherent only to this new designation. You know,
16 medical facilities and dental offices and personal service
17 facilities and those types of retail and various uses exist
18 elsewhere in the township. All we did was, for the sake of
19 this particular area, create a couple of designations for the
20 Town Hall Center and the Town Hall Neighborhood. If you
21 remember correctly, back at the beginning, we only had one
22 designation.

23 MR. CORMACK: I know that.

24 MR. LINGENFELTER: And we decided that, you know,
25 with all — This is not, again, I think it's important for
26 everybody to understand that this wasn't something that was
27 just thought of overnight. This has been actually a couple of
28 years in the making, you know, with the steering committees and
29 people that sat on these steering committees and there were
30 people that were business people within the community, as well

1 as residents, that had input into this. So this is not
2 something that was just dreamt up, you know, in some willy-
3 nilly type of an idea. This was very carefully put together.
4 A lot of considerations were put into place and the areas that
5 were going to be considered for this rezoning were very closely
6 thought out.

7 And so I think it's very clear that what's been done
8 here has been very deliberate and very thoughtful, and I think
9 that what we have here as a final result is a very doable and
10 very nice piece of legislation for the township, and it also
11 falls in line with the Comprehensive Plan that was redone a
12 couple years ago.

13 MR. CORMACK: The way — I guess another thing I need
14 to know is, if we would allow a florist shop here, we would
15 allow, you know, a photographer here, and we would allow a
16 cleaner, we would allow all these different other personal
17 services and they could do, you know, the things that we have
18 just talked about, why would we not allow a woman to open up a
19 dress boutique or an individual to open up a wine shop? Do you
20 know what I mean? I mean, what would be the problem with
21 that? I mean, I am just — that, I don't understand. As I
22 told you, again, I'm not against — We, as a garden center, we
23 came in under a conditional use and the Zoning, the Zoning
24 Board allowed it. I mean, there is always those, but I guess I
25 am still a little vague.

26 You know, we can keep those businesses, those retail
27 businesses that don't enhance the character of the corner, the
28 historical character of it. You know what I mean? I mean, to
29 me, a used car lot does not enhance it, a rental yard doesn't
30 enhance it. I'm in agreement with you. A car wash doesn't.

1 But a dress boutique? I mean, I will say a drug store but, I
2 mean, drug stores go on a main drag. But lo and behold, Rite
3 Aid comes in and wants to buy my property, I mean, that's the
4 last time we had snow in July. I mean, I'm a practical
5 person.

6 But, I mean, what we do is we restrict those, what I
7 almost consider to be personal service, small little, you know,
8 ma and pa shops that, you know, the people of Concord probably
9 wouldn't mind going to instead of having to drive to Chardon or
10 Middlefield. You know, that's the only point I keep going back
11 to that. I mean, we're allowing almost everything when it
12 comes to personal services. And I am glad that when we had the
13 discussion in the spring, you know, we were able to come to an
14 understanding, you know, and expand on the uses of the
15 property, which I think ultimately help out Concord, you know,
16 the people of Concord.

17 So that's what I keep going back to. And, Andy, I
18 understand all that. And don't think for a minute I'm trying
19 to imply that Concord doesn't have regulations and
20 restrictions, which they do, you know, in order to protect the
21 integrity of the community. So I keep going back to it again.
22 It's all about the whole thing about retail. I think we need
23 to just look at it a little more carefully because it can come
24 up. Why can this guy do it and why can't that guy do it when
25 they're almost doing the same thing? I can't open up a card
26 shop but the florist can open up a card shop. The hair care
27 salon can sell Matrix but I can't sell Matrix because my
28 business is selling just hair care products.

29 I mean, there is that — it becomes kind of vague.
30 In my mind, it becomes kind of vague and it opens up what I

1 think could be a lot of potential problems for Concord. I
2 mean, I don't want you to take those things out because then
3 that creates a lot of problems for me and then — So I'm not
4 talking about that. I am just saying I think we need to look
5 at a little more carefully about some of the retail uses of the
6 area and what ultimately may benefit Concord more than not
7 allowing those uses. That's what I'm getting at.

8 I mean, you know, me some day putting up a small
9 strip center, incorporating one of my few historical buildings
10 at this corner, you know, and putting a restriction on me that
11 says, okay, this is what you have to have, this Western Reserve
12 type of architecture, you have to have this, you have to have
13 this facade, you have to do that, I say fine. You know, I'll
14 do it. I want it to look nice.

15 Just the other day, we were at the Home and Flower
16 Show in Euclid and we went out to Olmsted Falls to buy some
17 plants at a big wholesale greenhouse and we went by the center
18 of Olmsted Falls — I think it's Olmsted Falls — and they had
19 preserved an historical part of the — I think, I don't know if
20 they were all — There was like a cluster of old buildings all
21 beautifully restored. They had a train there. I mean, it was
22 gorgeous. It was a knock-out. And I think, my God, if Concord
23 had that in the center of it, even if they were reproductions
24 of actual buildings, I mean, oh my God, that would be really
25 neat. I mean, people would love to come here and shop in
26 quaint little shops

27 But as it is set up now, I mean, that can't happen.
28 You know, at least that's my vision. I mean, I always thought
29 about, you know, neat little boutique shops and that. But by
30 doing this, if I ever wanted to do it, you know, it would be a

1 nightmare because I'd have to get attorneys, we'd have to go to
2 court, we would have to say, "Why are you doing this? How come
3 you're allowing this and that?" Blah, blah, blah.

4 So that's all I am looking at. I'm just looking at,
5 maybe we have to step back once more and examine this whole
6 retail and what it means, and understand that there are a lot
7 of what I consider to be personal services and that may be more
8 than just hair care or florist and that. I look at it as being
9 little dress boutiques and things such as that nature.

10 And if we want to preserve the historical nature of
11 it, then make some restrictions as to what I would consider to
12 be, you know, a potential eyesore: Used car lots, car washes,
13 gas stations, which obviously aren't in this but, I mean, I
14 think it's going in the right direction. And I think some kind
15 of, you know, when the new Town Hall is built, beautiful. I
16 think some other little reasons for people to come here other
17 than — Obviously, I don't think anyone is going to build a
18 museum here. Post office, you know, the Post Office is broke.
19 The government is broke. They don't want to build a post
20 office. They don't want to take anything from Painesville. So
21 I am not saying it's not going to happen but, you know, we have
22 20,000 people. We may have to hit 50 before they put up a post
23 office. And, you know, medical buildings, good, but the
24 hospital — hospitals are up there. Doctors probably aren't
25 going to be around here.

26 So Concord has almost no retail now. Less than 8
27 percent of the land in Concord is nonresidential. I mean,
28 being that this is one, at the moment, one of the few, you
29 know, B-1 areas where you can have a little more latitude in
30 retail, I'm saying I think that we should really look into

1 whether or not we need to preserve that as more of a boutique
2 retail, I mean, a boutique retail.

3 Again, I'm not talking about, I'm not talking about
4 anything goes, which obviously doesn't in Concord. Concord is
5 pretty careful. But I think we need to look at what has
6 happened in the past through architecture, through types of
7 businesses, maybe set up a boutique business area. And I think
8 maybe, I think, everyone maybe understands what I mean by
9 "boutique," you know.

10 So that's all that I'm asking. Before we go ahead
11 and change it, just to look into it just a little bit further,
12 look at it a little bit further in the future and think, what
13 do the people of Concord need in terms of their shopping
14 needs? I mean, they really do need some shopping needs. There
15 is a little tiny bit on Route 84 by Johnnycake Ridge Road or
16 Johnnycake Road but that's about it. There is a little tiny
17 bit up on Crile Road and there will probably be more when the
18 new road is put through, I'm assuming.

19 I can't remember. There is a designation for that.
20 What is it, Andy? You know, when the new road puts in from
21 Auburn to 44 to Crile, isn't there going to be some
22 designation, some kind of zoning designation over there?

23 CHAIRMAN WENTZ: Pretty much, the existing.

24 MR. CORMACK: Kathy, what —

25 MS. MITCHELL: Gateway Business.

26 MR. CORMACK: There it is, Gateway Business, right.

27 And that includes some, you know, like B-1 type retail; is that
28 right?

29 MS. MITCHELL: Yes.

30 MR. CORMACK: Yeah. So there will be a new area, you

1 know. But, I mean, let's be realistic. That's going to be so
2 pricey that I know very few of us would be able to afford to
3 open up a store there. I mean, historically, just look at it.
4 When that type of building goes in, retail, even up at the new
5 shopping center where Reider's is at, I mean, last I heard, a
6 store unit was 3 or 4 thousand dollars per month. I mean,
7 that's a lot of revenue that has to be generated to pay such
8 high rent as that.

9 So I think by this little part, the historical part
10 where it may be affordable for people who might want to
11 consider that. That's, again, I guess that was new. I hadn't
12 really talked about that the last time I was here, so I really
13 thank everybody for listening to me about it and, at least, I
14 hope you take that into consideration.

15 CHAIRMAN WENTZ: We sincerely appreciate your
16 comments.

17 MR. CORMACK: Thank you.

18 CHAIRMAN WENTZ: There is another gentleman in that
19 row. State your name and address, please.

20 MR. WEBB: Jerry Webb, 12441 Route 608 in Concord.

21 CHAIRMAN WENTZ: Do you swear to tell the truth and
22 nothing but the truth?

23 MR. WEBB: I do. I think what Mr. Cormack is trying
24 to illustrate here is, when counsel sits on the other end
25 saying "I think so" or "maybe I need to think about it," this
26 gentleman looks at him and says, "Well, Craig, I know we have
27 bylaws and laws that illustrate what the zoning is," what
28 Mr. Cormack is trying to tell you is, what you need to do is
29 put those in black and white. Don't leave it so open. That's
30 my comment. Thank you.

1 CHAIRMAN WENTZ: I think, if you want to stop by the
2 zoning office, Kathy would be glad to share with you —

3 MR. WEBB: On this new rezoning?

4 CHAIRMAN WENTZ: And all the existing zoning.

5 MR. WEBB: The existing is not what we're here to
6 discuss though. We're here to discuss the new zoning.

7 CHAIRMAN WENTZ: We have all these categories —

8 MR. WEBB: The existing is not the issue here, nor
9 was it.

10 CHAIRMAN WENTZ: All of these categories are
11 preexisting.

12 MR. WEBB: But this is new rezoning that we're
13 talking about and planning, that's what we're interested in
14 hearing. What we can put in, what is a personal service? Are
15 you going to leave that open or are you going to have it in
16 black and white?

17 MR. LUCAS: It is in black and white.

18 MR. WEBB: As he was saying, he thinks so.

19 MR. LUCAS: It's in black and white. There is a
20 definition for it.

21 MR. WEBB: I'd like to see that.

22 MR. LUCAS: Well —

23 MR. WEBB: I think maybe we all need to see that in
24 Concord. Thank you.

25 CHAIRMAN WENTZ: Stop by the zoning office.

26 MR. WEBB: Thank you.

27 CHAIRMAN WENTZ: Have we missed anybody? Okay. From
28 the Commission's standpoint, are there any responses or
29 comments that anyone cares to make in addition to the
30 interchanges we've already had? Okay. I am open to the

1 discussion portion here.

2 MS. MITCHELL: Mr. Chairman, could you enter in
3 Stephanie Arnold's comments?

4 CHAIRMAN WENTZ: Oh, yes, good point.

5 MR. SCHINDLER: And the Planning Commission's.

6 CHAIRMAN WENTZ: We have two pieces of written
7 communications we need to enter. The first is from Stephanie
8 Arnold. "Dear Gentleman of the Concord Township Zoning
9 Commission: My name is Stephanie Arnold, address
10 11473 Concord-Hambden Road. I own Parcel 8A-14-11. I'm unable
11 to attend tonight's zoning hearing due to family illness. I
12 would like to make it known in the record of tonight's
13 proceeding that I oppose the zoning change from Manufacturing
14 to Town Hall Neighborhood. I would also like to ask on the
15 record why the property owners adjacent to the areas being
16 rezoned were not notified of tonight's hearing. Thank you very
17 much, Stephanie Arnold."

18 Actually, I believe we did make all the required
19 notifications. Is that not true?

20 MS. MITCHELL: Yes, it is.

21 CHAIRMAN WENTZ: And in addition to that, there was
22 an article in yesterday's *News Herald* relative to the meeting.

23 The second communication is from Jason Boyd, director
24 of Lake County Planning Commission. "Dear Ms. Mitchell: The
25 Lake County Planning Commission took under consideration the
26 zoning district change at the January 26th, 2010, meeting.
27 They recommended that Concord Township make both of the above-
28 mentioned district changes because they conform to the 2004
29 Concord Township Comprehensive Plan. Any questions, please
30 feel free to call my staff or myself. Jason Boyd."

1 The above-mentioned changes are, it is titled to the
2 letter, "District changes M to THN and B-1, B-2, R-1, and R-2
3 to THC."

4 Okay. I think, from the discussion standpoint, we
5 can continue to discuss these in a joint fashion, unless there
6 is something that anyone wants to comment on that is specific
7 to only one of the categories. But when we decide on them,
8 we'll be deciding on them individually, A through F.

9 MS. LUHTA: Larry, someone just came in who would
10 like to say something.

11 CHAIRMAN WENTZ: Okay. That's fine. Please come up
12 and state your name and address.

13 MR. CRECRAFT: Yeah. My name is Bill Crecraft. I
14 live at 7199 Ravenna Road, which is —

15 CHAIRMAN WENTZ: Do you swear to tell the truth and
16 nothing but the truth?

17 MR. CRECRAFT: Yeah, yes.

18 CHAIRMAN WENTZ: Go ahead.

19 MR. CRECRAFT: I live on the corner over here.
20 Okay? I'm against the zoning and, personally, because it,
21 being as I am surrounded by Concord on both sides, it limits
22 the use of my property. Now, I have been on the phone with
23 some realtors and, of course, the market is down right now.
24 And I am not looking to sell the property but the potential
25 buyers would be less if you rezone my property where it's only
26 going to be good for a certain amount of whatever the new
27 zoning is compared to what I have now, which is B-2.

28 Now, I was, you know, I've been approached by Concord
29 to sign a first right of refusal, which I have not done, but I
30 planned on doing something this year with it. Now, I'm looking

1 at this as, one thing is if I do sell this — And, of course, I
2 know — correct me if I'm wrong — that there is plans of
3 building a community center or something over here across the
4 street. Is that correct?

5 CHAIRMAN WENTZ: I don't know.

6 MR. CRECRAFT: Connie, is there plans on doing
7 something across the street, like an administration center?

8 MS. LUHTA: Not right now, no.

9 MR. CRECRAFT: But, I mean, that's the long-term
10 future plan, sort of?

11 MS. LUHTA: Well, I can't really say that.

12 MR. CRECRAFT: Well, anyways, this is what I was
13 told. Now, I was also told by Jack Nettis, who, when we was
14 talking about this sewer deal out here, all right — First of
15 all, I never got a connection, which was supposedly going to be
16 on Phase 2, then I heard Phase 3, which I haven't got, which is
17 nothing to do with the — what we're talking about. But he did
18 state to me, he goes, "Well, we're wanting to acquire your
19 property but we're not talking eminent domain yet," which kind
20 of frosted me a little bit.

21 Now, Concord has told me that nobody has ever done
22 eminent domain here in Concord yet, which I am pleased to hear,
23 but I don't like being threatened by it. Okay?

24 So I just want to go on the record that I am against
25 it. I have contacted certain people and they, you know — I
26 know zoning, you know, is for the good of the community and I'm
27 all for that. I've been a resident since 1956 here. I was
28 born in that house. I don't plan on going anywhere until I
29 have my other house done. So all I'm saying is when I do go to
30 sell it, Concord was going to get it because that's what my

1 intention was, you know, to be, as I've been a long-time
2 resident.

3 So all I am saying is, right now, I am against it
4 because it kind of makes my bargaining for money, if you
5 understand what I am saying, a little less, maybe, something I
6 could get for it. Okay? Thank you.

7 CHAIRMAN WENTZ: Anybody else? Anybody in the
8 doorway? Okay.

9 Gentlemen, I think where we're at is, I was asking if
10 you had any comments anybody wants to make that would apply
11 across the board here. Otherwise, if it only applies to one of
12 them, I think, at this point, we can be clear that we would
13 only be speaking for A or F or whichever. Andy?

14 MR. LINGENFELTER: Oh, I'd like to say that, having
15 been involved with the Zoning Commission for a number of years
16 now, I think that this intersection and this part of the
17 township has posed a big challenge, I think, to say the least,
18 with regards to what kind of zoning we have here. You know, we
19 have five different zoning classifications divvied up between
20 24 parcels of property, many of which just simply don't fit
21 anymore into what we're trying to do from a Comprehensive Plan
22 standpoint. And I think that this rezoning effort is a very
23 good move for the township to designate this area, to put it
24 into the type of property and zoning classification I think
25 will benefit the entire community, and I think it also cleans
26 up a very messy part of our zoning area.

27 There is parcels of property that are zoned
28 manufacturing that, technically, you couldn't put a
29 manufacturing facility on them even if you wanted to. So, you
30 know, it's nice that we can get this cleaned up and get it into

1 a cohesive and very clear zoning classification moving forward,
2 and I think that the efforts that have been put forth to date
3 are very good and it's a very positive situation for the
4 township moving forward.

5 CHAIRMAN WENTZ: Thank you, Andy. I would like to
6 point out, in addition, there are about 68 acres in this whole
7 area and 28 of those acres, approximately, are vacant and
8 another 20 are exempt, as they are township property. So that
9 gives you a little feeling for the area that we're talking
10 about there.

11 Any other comments? Okay.

12 MR. SCHINDLER: I just want to make a comment that
13 everyone says that we're trying to push something down
14 individual homeowners' or landowners' throat. We have devised
15 a Comprehensive Plan, in the years I've been out here, four
16 times, I believe, since it's conception, and every time we had
17 input of all the residents and property owners and land owners
18 and developers and everything. And we've tried to, of course,
19 take all that into consideration since we started this some
20 years ago, and I think we've done a great job of doing that.
21 So I don't want someone to think that this is new, that we've
22 been trying to push this through just recently.

23 As far as definitions of what zoning can be put into
24 certain areas, that's been defined for many years and clarified
25 in black and white, and anybody can come up at any time and
26 look at our zoning regulations to see what can be put in and
27 what can't be put in.

28 So I feel, at this point, we've done everything we
29 possibly can to try to boost the character of the township. I
30 believe this document that we've finally come up with zoning

1 changes will achieve that.

2 CHAIRMAN WENTZ: There was a great deal of effort
3 that went into being very specific about what use is a use —

4 MR. SCHINDLER: Absolutely.

5 CHAIRMAN WENTZ: — and how they are defined.

6 MR. SCHINDLER: Uses and definitions, how many times
7 have we gone through the definitions and changed it?

8 MR. LINGENFELTER: I think, to take your point even
9 further, Frank, we've had multiple work sessions that the
10 public has always been encouraged to attend. They're
11 televised. They're there for everybody and input is — We have
12 never, in all the years that I've been involved in the Zoning
13 Commission — and I am quickly approaching, I think, a
14 decade — we've never denied the public the right to express,
15 you know, any kind of views or ideas or any things that they
16 would like to see put in there. We always take the public's
17 input seriously and give it the consideration and thought that
18 it deserves, and that's why we had multiple public, you know,
19 activities here with regard to work sessions, public hearings,
20 et cetera. So this has not been, like I said before, it's not
21 something that we did on a whim. This has been going on for a
22 long time. A lot of work has been put into this.

23 CHAIRMAN WENTZ: In that case, if there are no
24 further comments, what I'd like to do is close this portion of
25 the public hearing and vote on the individual sections.

26 MR. SCHINDLER: Mr. Chairman, I so move that we close
27 the public hearing.

28 CHAIRMAN WENTZ: Second?

29 MR. LINGENFELTER: I second.

30 CHAIRMAN WENTZ: Those in favor?

1 (Five aye votes.)

2 CHAIRMAN WENTZ: Opposed?

3 (No nay votes.)

4 CHAIRMAN WENTZ: Okay. I will remind you that every
5 motion must be made in the affirmative. And if there are
6 modifications to what is written, that has to be specified in
7 the motion.

8 MR. LINGENFELTER: Mr. Chairman, for the public
9 hearing for proposed Town Hall Corridor zoning map amendments,
10 as recommended by the Zoning Commission, under A, rezone the
11 following properties situated west of Ravenna Road on Concord-
12 Hambden Road from the M, Manufacturing District, to the THN,
13 Town Hall Neighborhood District, the properties north of
14 Concord-Hambden Road and subject to this proposed zoning
15 include Permanent parcels 8A-14-39, -12 and -11, the properties
16 to the south of Concord-Hambden Road and subject to this
17 proposed rezoning include Permanent Parcels 8A-13-2 and -3, I
18 make a motion that that be accepted as presented.

19 CHAIRMAN WENTZ: Is there a second to that?

20 MR. PETERSON: I'll second that.

21 CHAIRMAN WENTZ: Kathy, would you call the roll?

22 MS. MITCHELL: Mr. Schindler?

23 MR. SCHINDLER: Yes.

24 MS. MITCHELL: Mr. McIntosh?

25 MR. McINTOSH: Yes.

26 MS. MITCHELL: Mr. Lingenfelter?

27 MR. LINGENFELTER: Yes.

28 MS. MITCHELL: Mr. Peterson?

29 MR. PETERSON: Yes.

30 MS. MITCHELL: Mr. Wentz?

1 CHAIRMAN WENTZ: Yes. So that motion is carried. Is
2 there a motion relative to B? Is there a motion?

3 MR. LINGENFELTER: Am I going to do them all?

4 CHAIRMAN WENTZ: I don't know. I read them all.

5 MR. McINTOSH: Mr. Chairman, with respect to the
6 public hearing for proposed Town Hall Corridor zoning
7 amendments, as recommended by the Concord Township Zoning
8 Commission, I move to rezone Permanent Parcel Numbers 8A-14-14
9 and 8A-14-10, situated west of Ravenna Road and north of
10 Concord-Hambden Road, from the R-1, Residential District, to
11 the THC, Town Hall Commons District.

12 CHAIRMAN WENTZ: Is there a second?

13 MR. LINGENFELTER: I'll second.

14 CHAIRMAN WENTZ: Kathy, would you call the roll?

15 MS. MITCHELL: Mr. Lingenfelter?

16 MR. LINGENFELTER: Yes.

17 MS. MITCHELL: Mr. Schindler?

18 MR. SCHINDLER: Yes.

19 MS. MITCHELL: Mr. Peterson?

20 MR. PETERSON: Yes.

21 MS. MITCHELL: Mr. McIntosh?

22 MR. McINTOSH: Yes.

23 MS. MITCHELL: Mr. Wentz?

24 CHAIRMAN WENTZ: Yes. That motion is carried.

25 Relative to Number C, is there a motion with regard
26 to Number C?

27 MR. PETERSON: I'll do C. Mr. Chairman, as
28 recommended by the Concord Township Zoning Commission, the
29 proposed Amendment C, rezone Permanent Parcels Number 8A-13-36,
30 8A-13-4, 8A-13-5, and 8A-13-10, situated west of Ravenna Road

1 and south of Concord-Hambden Road, from B-1, Restricted Retail
2 District, to the THC, Town Hall Commons District.

3 CHAIRMAN WENTZ: Is there a second?

4 MR. LINGENFELTER: I'll second.

5 CHAIRMAN WENTZ: That motion has been made and
6 seconded. Kathy, would you call the roll?

7 MS. MITCHELL: Mr. McIntosh?

8 MR. McINTOSH: Yes.

9 MS. MITCHELL: Mr. Peterson?

10 MR. PETERSON: Yes.

11 MS. MITCHELL: Mr. Lingenfelter?

12 MR. LINGENFELTER: Yes.

13 MS. MITCHELL: Mr. Schindler?

14 MR. SCHINDLER: Yes.

15 MS. MITCHELL: Mr. Wentz?

16 CHAIRMAN WENTZ: Yes. Number D, I would like to hear
17 a motion relative to Number D.

18 MR. SCHINDLER: Mr. Chairman, I so make a motion that
19 we accept D, the rezoning of Parcels 8A-13-8 and 8A-13-9,
20 situated west of Ravenna Road and south of Concord-Hambden
21 Road, from R-1, Residential District, to the THC, Township Hall
22 Commons District.

23 CHAIRMAN WENTZ: Is there a second?

24 MR. McINTOSH: I second.

25 CHAIRMAN WENTZ: Motion has been made and seconded.
26 Kathy, would you call the roll?

27 MS. MITCHELL: Mr. Peterson?

28 MR. PETERSON: Yes.

29 MS. MITCHELL: Mr. Schindler?

30 MR. SCHINDLER: Yes.

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MS. MITCHELL: Mr. McIntosh?

MR. McINTOSH: Yes.

MS. MITCHELL: Mr. Lingenfelter?

MR. LINGENFELTER: Yes.

MS. MITCHELL: Mr. Wentz?

CHAIRMAN WENTZ: Yes. Number E.

MR. McINTOSH: Mr. Chairman, I motion, as a recommendation by the Concord Township Zoning Commission, to rezone Permanent Parcel Number 8A-13-55, situated west of Ravenna Road and south of Concord-Hambden Road, from R-2, Planned Unit Development District, to the THC, Town Hall Commons District.

CHAIRMAN WENTZ: Is there a second?

MR. SCHINDLER: I second.

CHAIRMAN WENTZ: Motion has been made and seconded. Kathy, would you call the roll?

MS. MITCHELL: Mr. Schindler?

MR. SCHINDLER: Yes.

MS. MITCHELL: Mr. Lingenfelter?

MR. LINGENFELTER: Yes.

MS. MITCHELL: Mr. McIntosh?

MR. McINTOSH: Yes.

MS. MITCHELL: Mr. Peterson?

MR. PETERSON: Yes.

MS. MITCHELL: Mr. Wentz?

CHAIRMAN WENTZ: Yes. Lastly, F, I would like to hear a motion relative to F.

MR. LINGENFELTER: With respect to F, the rezoning, I make a motion that we accept the rezone of the following properties east of Ravenna Road and to north and south of

1 Concord Road from the B-2, General Business District, to the
2 THC, Town Hall Commons District. Properties north of Concord-
3 Hambden Road and subject and to this proposed rezoning include
4 Permanent Parcel Numbers 8A-14-8, -68, -9, and 8A-5-35.
5 Properties to the south of Concord-Hambden Road and subject
6 to this proposed rezoning include Permanent Parcels Number
7 8A-5A-5, -4, -3, -2, -6, and -7.

8 CHAIRMAN WENTZ: Is there a second?

9 MR. PETERSON: I'll second that.

10 CHAIRMAN WENTZ: The motion is made and seconded.

11 Kathy, would you call the roll on this one?

12 MS. MITCHELL: Mr. Lingenfelter?

13 MR. LINGENFELTER: Yes.

14 MS. MITCHELL: Mr. Peterson?

15 MR. PETERSON: Yes.

16 MS. MITCHELL: Mr. Schindler?

17 MR. SCHINDLER: Yes.

18 MS. MITCHELL: Mr. McIntosh?

19 MR. McINTOSH: Yes.

20 MS. MITCHELL: Mr. Wentz?

21 CHAIRMAN WENTZ: Yes. All right. Gentlemen, I
22 believe that concludes the order of business on this public
23 hearing on this section of our agenda tonight.

24 I would like to move on to the correspondence
25 report. Frank, do you have any correspondence?

26 MR. SCHINDLER: No correspondence, Mr. Chairman.

27 MR. PETERSON: None.

28 CHAIRMAN WENTZ: None.

29 MR. McINTOSH: None.

30 CHAIRMAN WENTZ: Okay. Approval of the minutes of

1 January 5, 2010.

2 MR. LINGENFELTER: Mr. Chairman, I make a motion that
3 we accept the minutes of January 5, 2010, as presented.

4 CHAIRMAN WENTZ: Is there a second?

5 MR. McINTOSH: I second that motion.

6 CHAIRMAN WENTZ: All in favor?

7 (Five aye votes.)

8 CHAIRMAN WENTZ: The minutes stand approved.

9 Is there any other business other than to schedule
10 the next meeting, which is —

11 MS. MITCHELL: March 2nd.

12 CHAIRMAN WENTZ: March 2nd, yes.

13 MR. LINGENFELTER: Wow, it's clipping right along.

14 It will be springtime before you know it.

15 CHAIRMAN WENTZ: Okay.

16 MR. LINGENFELTER: Stupid Punxsutawney Phil.

17 MR. SCHINDLER: Yeah, another six weeks.

18 CHAIRMAN WENTZ: Any other business? All right.

19 This meeting is adjourned.

20 (The meeting was adjourned at 8:06 p.m.)

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1 STATE OF OHIO)
2) CERTIFICATE
3 COUNTY OF LAKE)
4)

5 I, Melinda A. Melton, Registered Professional
6 Reporter, a notary public within and for the State of Ohio,
7 duly commissioned and qualified, do hereby certify that, to
8 the best of my ability, the foregoing proceeding was reduced
9 by me to stenotype shorthand, subsequently transcribed into
10 typewritten manuscript; and that the foregoing is a true and
11 accurate transcript of said proceedings so taken as
12 aforesaid.
13

14 I do further certify that this proceeding took
15 place at the time and place as specified in the foregoing
16 caption and was completed without adjournment.
17

18 I do further certify that I am not a friend,
19 relative, or counsel for any party or otherwise interested
20 in the outcome of these proceedings.
21

22 IN WITNESS WHEREOF, I have hereunto set my hand and
23 affixed my seal of office this 12th day of February 2010.
24
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27

28 _____
29 Melinda A. Melton
30 Registered Professional Reporter

31 Notary Public within and for the
32 State of Ohio
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34 My Commission Expires:
35 February 4, 2013
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