

**Brunswick Hills Township  
Zoning Commission Regular Meeting Minutes  
October 6, 2022**

**Call Meeting to Order**

Chair Wetterman called the Brunswick Hills Township Zoning Commission October 6, 2022 regular meeting to order at 7:00 p.m.

A roll call of the board was executed.

- **Board Members in Attendance:** Patricia Wetterman, Ed Kelly, Bob Norton, Don Kuenzer,
- **Alternate Board Members as voting members:** Barb Porter, Dean Collura
- **Board Members Absent (excused):** Sy Mougrabi
- **Others in Attendance:** Evelyn Czyz, Zoning Inspector; Trustee Trica Murphy, Zoning Liaison; Linda Kuenzer, Zoning Secretary.

Mr. Norton asked if he could speak before business began. Mr. Norton stated that he was putting in his resignation from the Zoning committee due to conflict of interest and would like to be excused from the committee. He will either be at the next trustee meeting or submit a letter. Mrs. Kuenzer stated that he would still need to submit a letter. Mrs. Wetterman thanked Mr. Norton for his services. Mr. Norton then left the meeting.

**PLEDGE OF ALLEGIANCE**

Mr. Kelly led the Pledge of Allegiance. Mrs. Wetterman asked for a quiet moment for our troops and our first responders and prayers for the victims of the current hurricane.

Mrs. Kuenzer asked Mrs. Wetterman for permission to address the committee. Mrs. Kuenzer stated for the board that we did not have a meeting in July due to it being around the holiday and that there was a lot going on in the Wetterman's life. No meeting in August as well, no pressing business, still a lot going on with the Wetterman's. In discussion with Mrs. Wetterman, Trustee Murphy, and myself the decision was made to cancel the meeting, making it less stressful for Mr. and Mrs. Wetterman. No meeting in September as well. There was Zoning training that was held. All three of these meetings I did not cancel by myself. I do not have that power. They were canceled in conjunction with Mrs. Wetterman and Trustee Murphy. Since there was no pressing business, it would be less stressful for them.

Mrs. Kuenzer stated Mr. Norton also was recovering from surgery that he had as well and that there was a lot going on in the township. Personally, it was nice to have a break since we had three big cases in August and three big cases in September. In trying to help and do something nice, and the fact that Mrs. Wetterman had stated it was a relief as well, Mrs. Wetterman interjected it was just for July, Mrs. Kuenzer replied no, it was all three and that Mr. Kuenzer was standing there when the conversations took place. Mrs. Kuenzer stated that she was not going to argue about it but once again did not have the authority to cancel meetings by herself and that I would not have done it without talking to Mrs. Wetterman and Trustee Murphy. That in trying to do something nice, I have to hear it from other people that I didn't have the authority to cancel the meetings. I was a little perturbed because I was not the one that just canceled the meetings. If you all heard cases every month like the Zoning Board of Appeals, three, four cases a month that is a different story. But with what we had to discuss it was a decision that was made to try to be helpful and nice and try to take some of the pressure off of people, but I realize that wasn't taken into consideration and may not be done in the future if something does ever come up in the future.

The other thing I hear people complaining about is the Comprehensive Plan. At last Tuesday's trustee meeting, Mrs. Murphy discussed that. Mrs. Murphy and I are going over the Zoning Resolution book and that takes a lot of time. It is not just like replacing pages in a book. We are trying to make sure that the book is correct and that the book cannot be challenged. No one has forgotten about it. We want it to be right so

that when we can work on the Comprehensive Plan the two work together, the Zoning Resolution and the Comprehensive Plan, you cannot have one without the other. I just want people to understand that it takes a lot of time to verify and justify why the changes were made so that the resolution can not be challenged in court. So, I just wanted to clear the air a little. Thank you.

Mrs. Wetterman stated in moving along with our meeting, she wished to offer condolences to Mr. Humphrey on the loss of his mom and to the family of Jack Schira who previously was a trustee from 2003-2005. Mr. Schira was a member of the Air Force, thanked him for his service and stated that he will be buried in Arlington Cemetery which was a great honor.

**APPROVAL OF THE MINUTES**

**1. Approval of the ZC June 2, 2022 Regular Meeting Minutes**

Mrs. Wetterman called for a motion to accept the minutes as presented.

**Motion:** Mr. Kelly moved to accept the minutes of the Zoning Commission Regular Meeting, June 2, 2022. Mr. Collura seconds the motion. **Roll Call:** Mr. Kelly-yes; Mr. Kuenzer-Abstain; Mrs. Porter-yes; Mr. Collura-yes; Mrs. Wetterman-yes.

**OLD / CONTINUED BUSINESS:**

**NEW BUSINESS:**

**1. Discussion of set-back definition for C-1, C2, C3. (From discussion at May 5<sup>th</sup>, 2022 meeting).**

Mrs. Wetterman stated that there is a variance between C1 page 54, C2 page 56 and C3 page 58. C1-50 feet, C2- 80 feet, C3- 50 feet. C2 states that whatever is in C1 applies to C2 and that there is a conflict. Mrs. Wetterman asked if there was any discussion on that or any thoughts.

Mrs. Czyz asked Mrs. Wetterman where that was stated. Mrs. Czyz stated that it is stated in the Permitted Uses, nothing with lot or yard requirements. Mrs. Wetterman then confirmed that it was for Permitted Uses only not general setbacks. Mrs. Czyz stated yes. Mrs. Czyz stated she and Mrs. Porter looked at Zoning maps back to the 1950's. It had been consistent every year. Mrs. Porter stated that they could not find a reason for the difference. She had done extensive research into the C1, C2, and C3 and did not find a reason for the difference. She said it seemed odd, there must have been a reason and that it would not have been a typo and not found for 50 years. Mrs. Porter showed a Zoning Resolution of Brunswick Hills that she had in her archives at home that was from the 1950's. Mrs. Czyz read from the front of the book, Zoning Resolution of Brunswick Hills, November 13, 1950, revised July 1, 1955 and January 24, 1961. It was the same one they looked at in the office. They still could not find out why it was different. Mrs. Porter said never in all those years had it ever been updated or anything.

Mrs. Wetterman asked Mrs. Czyz if she knew where the records would be from 1950. Mrs. Czyz stated she had no idea.

Mr. Kelly asked what the specific wording was they were talking about? Mrs. Porter relied front depth setback. Mrs. Czyz asked Mrs. Wetterman if she had any idea why the difference since she has been around the community longer than others? Mrs. Wetterman said no. Mr. Kelly asked if by chance it was about the different type of buildings or perhaps the parking area? Mrs. Porter stated that she found on page 56 in C2, item 19, subject to Subsection 804-15, *All structures and activity areas, except open parking areas, shall be located at least fifty (50) feet from any property boundary line.*

Mrs. Porter also stated she found a correction that needed to be made since Mrs. Kuenzer and Mrs. Murphy were updating the handbook. C 2, page 56 of 119, item 21 refers to Subsection 800-19. There is no 800-19, it should be 804-19 Outdoor Dining.

Mrs. Wetterman stated she would like a copy of the 1950 Zoning Book. Mr. Collura said it would be nice for all the members to have a copy. Mrs. Czyz said she could make copies and give to Mrs. Wetterman on Tuesday.

Mrs. Wetterman stated then the board should wait and see if a reason for the change can be found. Because when something goes through to the Zoning Commission or the BZA and someone questions it, that is where the problem comes in. Someone says your book says 80 feet, but I do not want to do the 80 feet, I only want to do the 50 feet it causes a problem. Mrs. Czyz stated she had not had a problem with that in the 20 years that I have been there.

Mrs. Wetterman asked if the board should table the discussion and see if they can find out why it was done that way. Mrs. Porter stated it may not be important at all. Mr. Kelly asked if the lot requirement C1 is 50 feet and C2 is 80 feet, shouldn't it be consistent? Mr. Collura stated that the older book may shed some light on why the difference. C1, C2, C3 may have a logical reason for being different. Mrs. Wetterman stated what she sees is that in C2, Permitted Uses need more parking spaces. C3 is more repair shops, TV broadcasting stations, and smaller shops. Mrs. Czyz stated C3 contains mortuaries which is one difference. Mrs. Wetterman stated maybe changing C3 to 80 feet would be advisable under a new resolution. Something to think about. Mrs. Porter stated that in C2 and C3, under Conditional Uses, Multifamily dwellings is in both C2 and C3 and maybe they should be considered for a deeper setback. Mrs. Czyz stated that that was done years ago to put it in as a Conditional Use in C2 and C3, but not in C1, but she does not remember why.

Mrs. Wetterman asked how many C3 districts are in the township. Mrs. Czyz stated 1. C3 is a district all its own. Mrs. Wetterman rephrased her question to ask how many different C3 areas are there and how much space is in the C3 areas. Mrs. Czyz stated minimum lot area is two (2) acres. Mrs. Czyz stated we have two C3 areas, one (1) on West 130<sup>th</sup> and one (1) by Sleepy Hollow south of Boston and Kingsbury. C2 areas are in the northern sector on Pearl Road north of Grafton, south of Boston; one (1) on Boston Road by the trailer park and one (1) at the corner of Substation and Center Road where the dog rescue is and across the street. That was done in compliance with the PMUO and changing them into the Commercial Districts done years ago.

Mrs. Wetterman asked if the board felt that they should hold this topic open until they received more information as to why they put 80 feet in the C2 district. Mr. Collura stated he felt it should not be changed until they could investigate more and try to find more information as to why it was done that way.

Mrs. Wetterman thanked Mrs. Porter and Mrs. Czyz for their work on this topic. She also recommended that the board start looking at things. Why decisions were made, mistakes or topographical errors. They do need to bring them up as we continue to get the book in order.

The decision was made to table this topic for additional time for more research to be done on this topic.

## **2. Discussion on Wind and Solar Farms**

Mrs. Wetterman thank everyone for bringing back packets from the Zoning training that was held since they (Mr. and Mrs. Wetterman) had personal things come up and were unable to attend. She said it sounded like it was a good training session. Mrs. Wetterman stated she understands that training will be

held every other month and that a list will be sent out. She asked that whenever people go that they bring materials back to have on file and to distribute to new board members. Mrs. Wetterman asked if there was any discussion on the training? What went on and was it worth attending.

Mrs. Porter stated that she felt it the training was well worth attending. She did not learn much about wind farms but did learn about what Planning Services does and the things we can access, like Grants. Mr. Collura has the training sheets with him and that the Wind Farm section is only one (1) sheet. Mr. Kelly stated he had extra packets with him if anyone would like one. Mrs. Wetterman said she found the topics interesting. Mrs. Wetterman stated that Planning Services did our maps, however Mrs. Czyz replied that has been changed and that Planning Services no longer does the maps. Maps are now done by the County Engineers Office.

Mr. Collura stated that the training provided some good information, some could have had more info, like the wind and solar information. Solar does not just refer to panels. The farms are a whole farm of panels. We need more knowledge of what is involved. The utility companies have to adjust their equipment if they're going to receive more power. When Mr. Collura was still working, he was working in West Virginia and they had wind farms everywhere. If we were going to allow that, is there an area within the township that could be designated for that like an industrial area, otherwise it can be an eyesore. So, we need to decide whether we want it and do we have areas big enough to have this.

Mrs. Wetterman asked if it was mentioned how much area is needed? Mr. Collura stated it was not mentioned in the information. Mr. Kuenzer said that if you travel on the interstate or turnpike, Lake Ridge Academy has a solar panel farm and you can see them from the highway. There are a number of them. Mrs. Wetterman asked if there was one on Marks. Mrs. Czyz stated it was a wind turbine. Mr. Kuenzer stated that in the Lake Erie Island area they (wind turbines) are all over out there. Single wind turbines dot the area. Mrs. Czyz stated it is because of the wind cross grids, wind velocity. We do not have that wind velocity here.

Mrs. Czyz stated that SB52 identifies wind farms in different areas. In Homerville Township there are eight hundred (800) acres of solar panels, that is all that's there. All of these generate a good revenue for the farmers. It is an actual solar farm. Is it attractive? No. Mrs. Czyz said she is getting more requests about solar panels on the ground and on the homes and she hopes as a part of the Zoning Inspectors group, they will be addressing the subject. There are some real concerns out there. For instance, can we regulate them or not. Structurally can the house support them. The panels may be light, but there are other parts to the panels beside the panels. Also permits may be required from the Medina County Building Department for the electric and such.

Mrs. Wetterman asked how as a recommendation board they could help? Mrs. Czyz stated that it will come through the Zoning Inspectors making recommendations and/or the Building Inspectors come and talk to them and guiding them through as a joint effort. It is still in the very, very infant stages.

Mr. Collura said that the Building Department would be a good resource for information. There have been recent articles out and a lot of interest in solar panels. Companies selling but not legitimate, does not provide income like they say. People are losing money. On that one page, the last page, it states, ***Medina County proposes to declare all unincorporated areas of the county as exclusion zones from wind and solar development.*** It would have been nice to have gotten more information as to why they took the stand they did. Mrs. Czyz stated however, they allowed Homerville. They said they excluded that, yet they allowed 800+ acres to be a farm. But Medina County is still in the infantile stages of this discussion.

Mr. Kelly asked if there are any acres with a significant number of panels? Mrs. Czyz stated yes, Homerville. Mrs. Wetterman stated there was a business on Marks Road that had solar panels. Smith Brothers. Mr. Wetterman stated there was a place with more, Wolfe Brothers. Mr. Wetterman asked how many panels are allowed before they are considered a farm. Mrs. Czyz said she did not know. Mr. Kelly

said that with the training sessions coming up every other month, it sounds like a good topic for the training session. He also stated that residents that have a big barn will be coming up stating they want panels. Mrs. Czyz stated she cannot do anything about that at this time. She already does get requests; she does get schematics for them but cannot control them. She keeps a copy of the schematics in case the fire department may need them in the event of a fire.

Mr. Kuenzer stated from what he understood, if you have panels on the roof and you are generating electricity and it shuts down from cold, no sun or whatever, and no electricity is being generated, the company that supplies everyone else with electricity is probably also connected to that grid, so where does the liability lie? With the private owner or the company. These people have a lot of money tied up. Mrs. Czyz stated that would be a question for the prosecutor. Mrs. Czyz also stated that with the structures being put on the roofs it is a lot of weight, we get a lot of ice stores around here. With all that extra weight eventually there will be problems with the walls in the basement. There is a lot of things to think about. That is why people have been using the alternative and putting them on the ground. With that, we must then decide do we still require the 20% open space? Inside rear lot lines? Are we going to charge by the panel? There are so questions and they are all good questions. But let's face it, the PUCO will probably trump us anyway. Mrs. Porter asked if someone comes in and wants to put up solar panels, zoning has no authority over it, correct? Mrs. Czyz stated that is correct. We need some guidance. Although companies have been very good to provide her with schematics. Discussion was then closed.

Mrs. Wetterman asked Trustee Murphy if she would like to come up and speak and give an update on the zoning book. Mrs. Murphy stated so that everyone knows what we re doing. Linda and I have been working on updating the resolution book. Over the years, this board has made recommendations to the trustees, the trustees then approve the recommendations by resolution. All the changes that have been approved by resolution have been made. What we are doing now is matching the changes to the resolutions. So that when we come out with the brand-new book we can say, this is what is changed, here is the support we have, this is why the changes have been made and here is the documentation to support it. It has been taking more time than what we thought to find all the resolutions. We are not doing anything new, no new changes that have not already been approved by previous zoning commissions and trustees. We are going back to 2007 when the previous book was revised. We know that over time changes have been made but we did not feel comfortable just making the changes. So, we decided to find the resolutions so that if anyone asked why the changes were made, they could not say, well Linda and Trica just did what they wanted. We will have documentation to back everything up. There will be a book kept here on file with all the support documentation in case someone questions it.

As far as the Comprehensive Land Use Plan, the trustees are still deciding on how it is going to be done. It will not just be the Zoning Commission board, possibly a Citizens Advisory Board. Whoever the members would be has not been determined. How some of the other townships are doing it, Linda has been to more of Montville's meetings. Montville meets once a month. They have their Zoning Commission and their Zoning Board of Appeals going over their plan chapter by chapter. They had updated their book about five (5) years ago. Ours was done in 2005 so it is a little different. Hinckley put together a group of residents that volunteer and a planner that is working with them. Mrs. Czyz asked who the planner was, but Mrs. Murphy could not remember who it was. Mr. Collura asked if the trustees had a plan of getting together both boards and do what the other townships have done or have they not decided? Mrs. Murphy stated they are still trying to figure out what the best way would be to do it, will they have a planner or not. At this point the resolution book is what is holding us up. Mr. Collura asked which townships have been the most successful and how have they done it? Mrs. Murphy said she did not know, that Montville would probably be the most successful. They did have a planner at one time, and that they had also had a diverse group of residents at one time as well, but have been doing it with the two boards the last couple of times. Mrs. Czyz stated that at one point, we were the example for the Comprehensive Plan. Mr. Collura stated that the last time we did it we had a planner and it was very helpful pulling together questions for a survey. Mrs. Wetterman stated they were helpful in tallying as well. Mrs. Czyz

said but very costly. Mrs. Murphy stated that is one of the questions and do we do surveys are not. However, that is a question for the trustees that will be discussed at an open meeting.

Mr. Collura asked if the trustees had applied for any grants to help with the Comprehensive Plan cost. Mrs. Murphy stated that Trustee Kusnerak applied late last year for \$5000.00 but we did not get anything. Mrs. Porter asked if that was the grant that the Planning Services was talking about and the answer was yes. Mrs. Porter asked if Mrs. Murphy knew why we would not qualify for the grant. Do they only have so much? Mrs. Murphy said she did not know, but would try to find out.

The discussion continued about the \$5000.00 not covering much but it was better than nothing. There would be expenses of postage, labels, and printing. Then the question of how the surveys would be returned. Via mail or email. Someone would have to be monitoring email for results as well as verifying they are legitimate responders. Mrs. Murphy stated hopefully we can get the Zoning Resolution book behind us and on file, then we can move on to the next project.

Mr. Collura stated that no matter how difficult, how time consuming and how expensive it is necessary. He had heard of developers looking at the date of our Comprehensive Plan and because it was outdated in their opinion, they did not have to follow it.

Mrs. Murphy stated she just wanted people to know that they had not forgotten about it, but it just takes time.

Mrs. Wetterman stated that Mrs. Murphy had suggested that the Zoning Commission possible attend other township Zoning Commission meetings to see what those boards do. Or possibly watch them online or at least read the minutes to those meetings.

Mrs. Wetterman stated she had to do a procedural point of business. She stated that the June 2, 2022 meeting minutes were approved as presented.

**ADDITIONAL BUSINESS:**

**PUBLIC COMMENT:** Mrs. Wetterman asked if there was any public comment.

**Ron Wetterman, 1085 Substation** – Wanted to direct his comments to this board, thanking them for their compassion and support for Patti and himself during the tough time of the loss of their son. It also helps them to remember they are still people, not necessarily a grieving couple because of loss. They need our friendship, don't leave them in a cocoon. They still want to hear from people and want to be their friends.

**ANNOUNCEMENT OF NEXT MEETING DATE:** Thursday, November 3, 2022 @ 7 p.m.

Mrs. Kuenzer and Mr. Kuenzer will not be at that meeting as they will be out of town. Mrs. Murphy will be there in my place.

Mrs. Wetterman stated it was good to see everybody and that the participation was greatly appreciated.

**MOTION TO ADJOURN**

Mrs. Porter motioned to adjourn the meeting. Mr. Kuenzer seconds. **Roll Call:** Mr. Kelly-yes; Mrs. Porter-yes; Mr. Collura-yes; Mr. Kuenzer-yes; Mrs. Wetterman-yes. Meeting officially adjourned at 8:03 p.m.

Respectfully Submitted,  
Linda Kuenzer, Zoning Secretary

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Patricia Wetterman, Chair

Date 1/12/23 approved