

**Brunswick Hills Township
Zoning Commission Special Meeting Minutes
April 23, 2026**

Call Meeting to Order

Mr. Witt called the Brunswick Hills Township Zoning Commission on April 23, 2026 Public Hearing meeting to order at 7:00 pm.

A roll call of the board was executed.

- **Board Members in Attendance:** Mr. Kalina, Mr. Witt, Mrs. Wetterman, Mr. McFarland, Ms. Brunn
- **Alternate Board Members as voting members:** Mr. Smerek, Alternate Member
- **Board Members Absent:**
- **Others in Attendance:** Mr. DeCastr, Trustee, Ms. Beck, Secretary.

CONTINUED BUSINESS: Rezoning of Bluebell Properties PP # 001-02D-27-035 & 001-02D-27-036 from RR to C1.

Chairman, Mr. Witt summarized testimony and concerns presented during the previous public hearing from residents.

Common Concerns Raised Included: Stormwater runoff and flooding concerns, Increased traffic and safety impacts, particularly relating to Blue Bell Parkway access, loss of rural residential character, noise, lighting, and odor impacts, concerns regarding crime and safety, potential impacts on property values, building proximity to existing homes, legal and procedural concerns regarding prior approvals and notices, and requests for mitigation measures should development proceed

Mr. Witt also referenced the historical background provided by Assistant Zoning Inspector Mr. Humphrey, the review of the 2005 court order and consent decree and Mr. DeCastr’s explanation of the rezoning process and next procedural steps

Approval of April 2, 2026 Public Hearing Meeting Minutes

Mrs. Wetterman questioned the parcel numbers appearing within the minutes and asked for clarification. Discussion followed regarding whether a leading “0” should appear before “27” in the parcel numbers. After review, it was confirmed that the correct parcel numbers are 001-02D-27-035 and 001-02D-27-036 Mr. McFarland raised discussion regarding wording in the April 2, 2026 Public Hearing Minutes where the property was referred to simply as “residential.” He asked whether the language should specifically identify the zoning designation as “Rural Residential” (RR) The Commission discussed the terminology. Mr. Witt noted that RR is a residential zoning classification and either terminology could be acceptable.

Mr. Kalina proposed an amendment to language appearing on page four of the April 2, 2026 Public Hearing Minutes. He explained that in this particular case, the Township previously contested the matter, resulting in settlement agreement that governs the property today.” Mr. Kalina also complimented Ms. Beck on the thoroughness of the meeting minutes.

Motion: Mr. Kalina moved to approve the Brunswick Hills Township Zoning Commission Public Hearing Minutes of April 2, 2026, as amended. Mrs. Wetterman seconded the motion.

Roll Call: Mr. Smerek- Yes, Mr. McFarland- Yes, Mrs. Wetterman- Yes, Mr. Kalina-Yes, Ms. Brunn- Abstain, Mr. Witt- Yes.

Approval of the April 2, 2026 Regular Meeting Minutes

Mr. Kalina identified an error within the regular meeting minutes regarding zoning classifications.

The minutes incorrectly referenced rezoning “from C1 to C3” within a predominantly C1 corridor.

Mr. Kalina clarified the correct wording should indicate the rezoning “from C3 to C1” Ms. Beck acknowledged and agreed to amend the minutes accordingly.

Motion: Mr. McFarland moved to approve the Brunswick Hills Township Zoning Commission Regular Meeting Minutes of April 2, 2026 as amended. Mr. Smerek seconded the motion.

Roll Call: Mrs. Wetterman- Yes, Mr. Kalina- Yes, Mr. McFarland- Yes, Mr. Smerek Yes, Ms. Brunn – Abstain, Mr. Witt- Yes.

Discussion Regarding Rezoning from RR to C1

The Commission discussed the proposed rezoning and the 2005 consent decree/settlement agreement governing the parcels. Discussion centered on interpretation of language stating the owner may develop under C1 “as it presently exists” if development had not occurred within two years. Commission members debated whether “presently exists” referred to the C1 regulations in effect in 2005, or current C1 regulations presently in effect today.

The potential options could be to leave the zoning map designation as RR while noting on the zoning map that the parcels may be developed pursuant to the C1 district, or formally rezoning the parcels to C1.

Discussion Regarding Potential Future Impacts. Commission members discussed concerns associated with both options.

Concerns About Rezoning to C1-Potential exposure to future amendments or expanded C1 uses. Concern that future developers could seek more intensive development than currently proposed. The Possibility of encouraging additional commercial rezonings along Pearl Road. Concerns About Leaving Parcels RR while allowing C1 Use- Potential confusion in enforcement and interpretation, unclear zoning boundaries, the possibility that neighboring RR property owners could seek similar treatment. Discussion also occurred, whether 2005 C1 standards or current C1 standards would govern future development, the role of the zoning inspector in enforcement and the need for legal counsel to interpret the consent decree language, Trustee, Mr. DeCastras stated he would not provide legal interpretation of the decree and indicated such interpretation should come from Township’s legal counsel. It was also discussed that the consent decree runs with the land, and future property owners would remain bound by its terms.

PUBLIC COMMENT:

Kristin Hunter, 4293 Butterfly Circle

Ms. Hunter discussed lack of proper notice for the prior BZA Hearing and references section 1003-2 regarding notice requirements for hearings. She stated that neighboring residents did not receive mailed notice for the October 8, 2025 Board of Zoning Appeals hearing, and newspaper publication did not meet the required timeline. Ms. Hunter stated she submitted public records requests seeking evidence of notices and communications and claimed the township responded that it possessed no records. affected residents were denied opportunity to participate in the variance hearing, and variances approved during that hearing should be considered invalid due to lack of notice procedures not been properly followed. Ms. Hunter stated that Mr. Humphreys previous information provided regarding ODOT were not accurate. She stated that there was no documentation requiring access from Blue Bell Parkway instead of Pearl Road and referenced another nearby development using Pearl Road access and disputed prior statements that ODOT required the Blue Bell access configuration. Ms. Hunter expressed concerns

regarding transparency, fairness, and procedural compliance, and stated he was pursuing legal action against the Township.

Ben Woods, 2660 Hollyhock Lane

Mr. Ben Woods, 2660 Hollyhock Lane, addressed the Commission in opposition to the rezoning. Mr. Woods referenced statements from the developer about wanting to be “good neighbors,” but stated he believed actions taken by the developer conflicted with those statements. He described residents being awakened by early morning tree clearing activities prior to residents receiving notice or information regarding the development. Mr. Woods stated he reviewed developments referenced by the applicant as comparable uses and claimed many were zoned light industrial, C3, or manufacturing districts, and none were actually zoned C1. He argued the proposed use functioned more like a light industrial use despite being labeled C1. Mr. Woods stated he reviewed notice practices dating back to 2021 and believed the notice periods associated with this matter were significantly shorter than typical zoning notices. He referenced Ohio’s special meeting notice requirements and expressed concern regarding what he characterized as insufficient public notice. Mr. Woods also discussed the property’s taxation history as residential property, the 2005 litigation history, deed restrictions, and concerns about potential legal exposure for the Township. He requested denial of the rezoning request, reconsideration of prior approvals, and improved transparency moving forward.

Statement on Behalf of Anthony Esposito – Butterfly Circle

Mr. Woods read a written statement on behalf of another resident who could not be present - Anthony Esposito, a resident of Butterfly Circle. Key Concerns Included opposition to rezoning residential lots to commercial use, negative impacts on property value, visibility of commercial structures despite proposed buffers, concerns regarding prior notice procedures, increased noise following tree clearing, safety concerns regarding commercial traffic on Blue Bell Drive. He believes that access should instead be provided directly from Pearl Road. The statement requested reconsideration of the rezoning and reconsideration of roadway access configuration if development proceeded.

Jennifer Baker, 4300 Butterfly Circle

Ms. Baker shared that she and her husband moved into the neighborhood approximately two years earlier intending to remain long term and raise a family there. She stated residents first became aware of development activity when trees were cleared and chainsaw activity began. She expressed concerns regarding increased traffic on the residential roadway and impacts on neighborhood safety. She stated she believed nearby residents should have received notice earlier in the process.

Motion: Mr. Witt motioned to recommend the rezoning to the trustees of parcels 001-02D-27-035 and 001-02D-27-036 from RR to C1. Mr. Smerek seconded the motion.

Ms. Brunn is not voting due to being absent from the previous meeting, alternate member Mr. Smerek is serving as a voting member:

Roll Call: Mr. Smerek- Yes, Mr. McFarland- Yes, Mrs. Wetterman- Yes, Mr. Kalina- No, Mr. Witt- Yes.

Motion passes, the Zoning Commission recommends rezoning parcels 001-02D-27-035 and 001-02D-27-036 from RR to C1 to the Township Trustees.

ANNOUNCEMENT OF NEXT MEETING: Thursday, May 7, 2026, 6:15 p.m Public Hearing followed by a 7:00 p.m. Regular Meeting

MOTION TO ADJOURN

- **Motion:** Mrs. Wetterman made a motion to adjourn the public hearing. Mr. Kalina seconded the motion.

Roll Call: Ms. Brunn – Yes, Mr. Kalina – Yes, Mrs. Wetterman – Yes, Mr. McFarland – Yes, Mr. Smerek – Yes, Mr. Witt – Yes

Adjourned at 8:12 PM

Respectfully Submitted,
Dalith Beck, Zoning Secretary

Edward Witt, Chair

Date