

PLANNING AND ZONING COMMISSION
MINUTES OF **TUESDAY, APRIL 04, 2023**

Pursuant to notice duly given, the regular meeting of the Planning and Zoning Commission, also sitting as the Board of Zoning Appeals, was called and held on **Tuesday, April 04, 2023 at 5:00 PM** in the Council Chambers of the Town Hall.

Members present: Craig Steinbrink; Chair, Chip AuWerter, Scott Broome, Jim Deacon, Emily Hamilton, and Jeannine Voinovich.

Members absent: None.

Also present: Karen Schneider, Mayor
Chris Courtney, Village Engineer
Todd Hunt, Village Law Director

1. Roll call.

Mr. Steinbrink introduced Mrs. Christine Riley who is being appointed to the Commission to fill the vacant seat.

2. The minutes of **Tuesday, March 07, 2023** regular meeting of the Planning and Zoning Commission were submitted for approval.

A motion was made to approve the minutes as *revised*; Mrs. Hamilton was not at the March meeting.

Motion by: C. AuWerter 2nd: S. Broome

Roll Call: Ayes: All.
 Nays: None.

Motion Approved

3. Revised cellular communication tower request for **GILMOUR ACADEMY** at **34001 Cedar Road** was heard. Notice has been provided to adjoining property per the ordinance requirements.
Ronald Gainer, Esq. and Kathryn Popp, Gilmour Academy were present.

Mr. Gainer reviewed the revised proposal for the Commission. He stated the tower is the same as what was originally approved in 2016 with a different location. The proposed location is approximately 50' to the southeast from the previously approved location. The revised location will provide better service to the campus and the area.

Mr. AuWerter asked what cell carriers will be located on the tower.

Mr. Gainer stated Verizon and T-Mobile are the current providers, expect others to follow once the tower is completed.

Ms. Popp was asked who currently occupies the house where the new tower would be located.

Ms. Popp stated the house is currently used by the head of the dormitory. She also indicated the same wood fence and landscape/screening that was previously approved will be used at the new location.

Mr. Gainer stated the communication tower will be setback approximately 230' – 240' from the road with the existing trees acting as natural screening, only the top of the tower and service provider antennas might be visible.

Mayor Schneider stated the poor service in that area is a safety issue and the tower is desperately needed. Students living in the dorms very often do not have cell service and would be a problem in an emergency.

Mr. Biggert stated some of the information required by the Villages cellular communication ordinance has not been submitted with the application.

After further discussion, a motion was made to *approve* the request as submitted pending submittal and review of required affidavits and required information as indicated in 1373.04 (a), (c), (j), (k), and (l). Approval by Council is also required.

Motion by: J. AuWerter 2nd: E. Hamilton

Roll Call: Ayes: All.
 Nays: None.

Motion Approved

4. Motion to adjourn the regular meeting of the Planning and Zoning Commission and convene a meeting of the **Board of Zoning Appeals**.

Motion by: S. Broome 2nd: J. Voinovich

Roll Call: Ayes: All.
 Nays: None.

Motion Approved

5. A solar panel variance request for the **KABELITZ** residence at **549 Riverview Road** was heard. Notice had been previously provided to adjoining property owners.
David Hunter, YellowLite Inc. was present.

Mr. Hunter reviewed the proposed variance request for the Board. He indicated the request was originally submitted and reviewed at the February meeting and continued. He apologized for missing the March meeting. He reviewed the solar panel performance data sheet indicated reduced energy production if the panels on the south roof are not allowed.

Mr. Steinbrink stated his concern regarding the variance request. He indicated the current ordinance was written for a specific reason, mainly to protect the Villages architectural character by preventing solar panels from being installed on roofs visible from a street.

Mr. AuWerter asked if there is any new solar panel technology on the market that looks more like asphalt shingles.

Mr. Hunter stated there are "solar shingles" currently on the market out east. The marketing and availability have not yet made it to Ohio. He would be willing to research and see if they would be available in our area.

Mr. Steinbrink asked for any additional comments from the Board. He stated his impression from the conversations and the Board is they are not willing to grant a variance to allow for the installation of solar panels on the south facing roof which would be visible from the street.

He continued by stating the Board could vote on the request which will most likely not be approved, or Mr. Hunter can remove the request from consideration and resubmit a different request at another time when the technology improves and becomes available in Ohio.

Mr. Hunter requested the current variance application be removed from the agenda and consideration, will submit later if instructed by the homeowner.

No Action Taken

There being no further business the meeting was adjourned at **5:45 P.M.**

Craig Steinbrink, Chair

David Biggert, Secretary