

WESTFIELD TOWNSHIP BOARD OF ZONING APPEALS

December 17, 2024

McGlashan called the Board of Zoning Appeals Meeting to order at 6:31 pm. Roll call: Greg McGlashan-here, Andy Thur-here, Justin Blake-here, Jack Kurtz-here, Dale Perkowski-here,

Guests other than applicants- ZI Julie Carr, Michael Schmidt, Mike Lyons, Nathan Kott

Minutes to be Approved:

**Perkowski made a motion to approve the minutes from the July 30, 2024 meeting. Kurtz seconded the motion. Roll call: McGlashan-yes, Thur-yes, Kurtz-yes, Perkowski-yes, Rinkus-yes. Motion passed.**

**Kurtz made a motion to approve the minutes from the August 13, 2024 meeting. Perkowski seconded the motion. Roll call: McGlashan-yes, Thur-not voting, Kurtz-yes, Perkowski-yes, Rinkus-yes. Motion passed.**

**Kurtz made a motion to approve the minutes from the December 11, 2024 meeting. Perkowski seconded the motion. Roll call: McGlashan-yes, Thur-not voting, Kurtz-yes, Perkowski-yes, Rinkus-yes. Motion passed.**

Let it be known that there is a full board, a quorum is present. No conflicts of interest. Board shared this is not a precedent setting board.

Chairman McGlashan read the rules and procedures for the meeting. All members reviewed the application prior to the meeting. Attendees were asked to silence their cell phones.

ZI Carr discussed the application of Ohio Edison, 5501 Greenwich Rd, Seville, OH 44273 for a maximum building height of 35 feet. Andy Thur shared this is not a building, but a tower and should be under the zoning resolution 204B3 which would allow for a height of 75 feet. Mike Lyons shared we can proceed with the hearing, this just changes the request variance amount.

John Melham swore in on behalf of Ohio Edison, 5501 Greenwich Rd, Seville, OH 44273. He said the purpose of the tower is for Ohio Edison to communicate within the Ohio Edison Network. He shared that some of the towers are public utilities and are used as telecommunication towers. They know that in some areas zoning is amended for public utilities. This will only be used by first energy subsidiaries. This would link to other First Energy communication towers. Since the demand on the grid changes, this will allow first energy to transfer power when and where needed. There will be no colocation on these towers. He said the height requirement for this pole is needed to communicate with other towers around the country.

He said the difference is 105 feet if you are going by the zoning regulation 204.B.3.

Thur asked why the tower needs to be so tall and why it can't be small to communicate with local towers. Melham explained that the tower needs to communicate with all over the country and with the research in the area, this is the height needed for proper communication. Melham showed street views of the area. He also added that they are a public utility and in some areas this isn't required to have a zoning variance or zoning certificate.

Mike Lyons shared that this is zoned rural residential and if it was going to be viewed as an OIPD, the township would need an application for OIPD and in this case they have not applied and therefore it is viewed as rural residential. He added that ORC 519.211 states that public utilities are precluded from a zoning resolution. However, an exception is made for telecommunication towers. Ohio Edison is a public

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utility. They chose to apply for a variance which is why we are here. If we proceed under the zoning code, they would need to apply for the OIPD.

Melham asked about the overlay and shared that these towers are permitted. Lyons shared that the OIPD would cover the property IF they apply to be in the OIPD. He added that 80% of the property or 8 acres, would need to be out of the Natural Hazard to even qualify to be in the overlay. If they wish to proceed with this route, they would need to apply with the Zoning Commission. However, the question tonight is if the exemption of a public utility would trump all of this. The board could also dismiss the application based on the property not having officially applied to be a part of the OIPD.

Perkowski makes a motion to dismiss the application for reasons of: the application is not complete as they are not included in the OIPD district and therefore it is dismissed. Kurtz seconds the motion.  
*Roll call: McGlashan- aye, Thur-aye, Perkowski-aye, Kurtz-aye Blake- aye.*

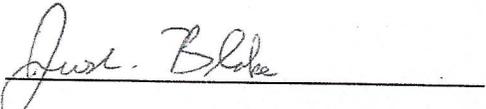
***Thur motions to adjourn the meeting; seconded by Perkowski . Roll call: McGlashan- aye, Thur-aye, Perkowski-aye, Kurtz-aye Blake- aye. Meeting adjourned at 7:23 pm.***

Respectfully submitted,

Julie Carr, Zoning Inspector

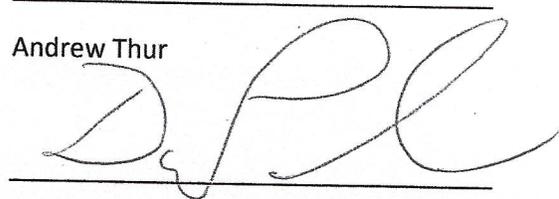


Greg McGlashan, Chair



Justin Blake

Andrew Thur



Dale Perkowski, Vice Chair

Jack Kurtz