CONCORD TOWNSHIP ZONING COMMISSION
MEETING MINUTES
April 1, 2025

Call to Order

- The Concord Township Zoning Commission met on Tuesday, April 1, 2025 at Concord Township Hall located at 7229 Ravenna Road, Concord Township, Ohio. Mr. Hiram Reppert called the meeting to order at 7:00 pm.
- Roll Call: Mr. Schindler – here, Mr. Iafelice – here, Mr. Peterson – here, Mr. Wiertel – here, Mr. Reppert – here
- Others in Attendance: Township Legal Counsel, Bridey Matheney; Zoning Inspector, Heather Freeman

Pledge of Allegiance

Approval of Minutes

- **Mr. Iafelice** made a motion to approve the minutes from March 4, 2025. Mr. Peterson seconded the motion. The motion passed with four (4) ayes. Mr. Schindler abstained.

Correspondence

- **Mr. Wiertel** stated someone reached out to him to see if Concord has any bed and breakfasts.
- **Ms. Freeman** indicated no there are not any in the Township.
- **Mr. Wiertel** stated they also inquired if they could construct a home made out of shipping containers. He did some research to look into it some more. They use the structure, which some are insulated, and can stack them, or put them side by side to create a home. It's an alternative way of construction.
- **Ms. Freeman** stated the Zoning Resolution doesn't specify this type of construction, and a home could be constructed out of shipping containers, as long as it met all the requirements for the district such as the minimum square footage, height and enclosed parking requirements. Additionally, the Ohio Building code does allow for this type of construction.

Zoning Inspector Report

- **Ms. Freeman** indicated she did not have her March zoning activity report ready.
- **Mr. Peterson** asked about the Quail Hollow hotel auction.
- **Ms. Freeman** provided a brief update regarding the former Quail Hollow Hotel property that was recently up for auction. There was a winning bid that met the reserve. It was approximately $2.7 million. The sale has not been finalized yet. The Township Administrator, JEDD Administrator, a Trustee and Heather have spoken to the winning bidder. They discussed their ideas with the property and some of the zoning for the property as well.
- **Mr. Schindler** asked what they intend to do with the property.

- **Ms. Freeman** indicated she didn't think it was the right time to share at this point. She stated that they did talk about the zoning district requirements and their ideas, but the buyer was still working on putting their plan together for the property.

Public Participation

- There was no audience participation.

New Business

- **Mr. Reppert** asked if there was any new business from the board. Being none, they moved into old business.

Old Business

- **Mr. Reppert** stated there's a work session to discuss small solar regulations, and asked Heather to provide her information to the board.
- **Ms. Freeman** stated she put some slides together that she wanted to go over with the board. She used information from the Ohio Township Association Winter Conference, and reviewed other municipality's regulations in preparation for this discussion. The powerpoint is included in these minutes as Exhibit "A".
- **Ms. Freeman** provided background regarding the enabling legislation for Township's to regulate small solar facilities. The Ohio Revised Code defines small solar as "means solar panels and associated facilities with a single interconnection to the electrical grid and designed for, or capable of, operation at an aggregate capacity of less than fifty megawatts." Counties have the authority to review projects 50 MW and greater. The Ohio Power Siting Board reviews and approves all of these projects.
- **Mr. Wiertel** asked if Townships would have any say regarding a project 50 MW or greater or is that the County?
- **Ms. Freeman** confirmed those would be up to the County to review and make a decision on those applications.
- **Ms. Freeman** reviewed information regarding planned solar projects in the state of Ohio. There are none currently planned in Lake County, but rather more projects are happening in the southwest part of the state. Additionally, small solar is really not that small. For each megawatt of direct current, requires between 5 and 10 acres of land area for the solar facilities. She also reviewed the Ohio Power Siting Board review criteria when projects are submitted for review and approval. There are many technical studies submitted, including those such as equipment specifications, construction route, site characteristics, property value impact studies, economic impact and land use analysis, decommission plan, and landscaping plan. If we wanted to allow these type of projects in Concord Township, these are the type of studies we should require.
- **Mr. Wiertel** asked if we should require these studies as well for projects less than 50 MW.
- **Ms. Freeman** said potentially. If the Township wanted to allow small solar facilities as the primary use of the land for commercial purposes these are the type of studies we should be asking for to be submitted.
- **Mr. Wiertel** expressed concern about possibly pricing someone out if we required all these studies.

- **Mr. Peterson** stated he thought the only district where this may occur would be in the R-4. He thought that the airport property might be a location. A developer may want to put in solar and build some homes there that would be powered by the facilities.
- The board had a discussion about property owners that are selling back extra power generated by the solar to the grid and whether they should regulate that as well.
- **Ms. Freeman** reviewed different types of solar energy systems including roof top, ground based and integrated solar. There was also a distinction made between using solar as a principal use of land or an accessory use. She showed examples of roof top mounted and ground based systems for residential uses, and also highlighted the solar panel project at Progressive in Mayfield Village.
- The board discussed the roof top versus ground based panels, and what most would prefer to use for a residential application.
- **Ms. Freeman** reviewed some draft small solar systems regulations. They are attached here as Exhibit "B". The regulations included a purpose statement, definitions, and general provisions. She suggested to only allow small solar energy systems as accessory uses, and not the primary use of the land. She stated that as the primary use of land in residential districts, that this would not be compatible with single family subdivisions. Also in commercial districts, solar as the primary land use would possibly limit other future economic development opportunities.
- **Mr. Wiertel** asked if he had roof top mounted solar and it ties into the system. Is this going to prohibit him from selling back the extra energy?
- **Ms. Freeman** said no. This would not prohibit a homeowner from selling back some extra energy. The solar panels are accessory to the primary use, the home, and as long as the primary use of the panels is to power the home, then it is okay to sell back that extra that may be generated.
- **Mr. Peterson** stated maybe the board should expand this to include windmills. We don't have anything that addresses these either.
- **Ms. Freeman** indicated that roof mounted solar energy systems would be permitted in all zoning districts, and reviewed the proposed standards. She went on to indicate that accessory ground mounted systems would be permitted in non-residential districts and only as an accessory use.
- **Mr. Reppert** asked why we would only allow ground based systems in non-residential districts.
- **Ms. Freeman** indicated she thought it would be more appropriate in developments with smaller lots to utilize roof mounted systems instead of allowing small, half acre lots, to have 10-15 ft. tall solar arrays erected in the yards.
- **Mr. Wiertel** asked about larger lots, like in Mount Royal. These are 2 acre lots. Would it be better to see panels on the roof, or ground based in their backyard?
- There was a brief discussion about ground mounted solar and how it relates to an agricultural use. Additionally, if a property owner is using solar for a pool heater how does that work. Ms. Freeman indicated the draft regulations have an exemption for solar that is powering a single device or a specific piece of equipment such as a lawn ornament, light, weather station, or pump.
- **Mr. Schindler** asked if on the ground is there any safety concerns for children.
- **Mr. Wiertel** said no.

- **Ms. Freeman** stated she could look into drafting regulations that would allow larger lots to have ground based solar systems if the board would want her to instead of prohibiting for residential districts.
- **Ms. Freeman** continued to review the draft text for ground based solar systems including location, setbacks, height, lot coverage, glare, visibility, exemptions, nonconformities, application process, and abandonment.
- **Mr. Reppert** was looking for clarification on how lot coverage would be calculated. At minimum or maximum tilt?
- **Ms. Freeman** indicated she will need to clarify this at the next meeting.
- **Mr. Iafelice** wants to take a little more time. He felt like it was too much bureaucracy if somebody wants to put a solar panel on the roof. He also asked if we are presuming there is no land at all where somebody would want to put a solar farm for commercial. Have we looked at other areas more eastern part of the township? Or do we not want it?
- **Mr. Schindler** stated he does not want a solar farm. He understands for the residential application but not in favor of a commercial operation.
- **Mr. Peterson** asked about the part of the township near Leroy where nobody would see it. There are some properties out there.
- **Mr. Wiertel** stated if you recall the map shown, it's the greenbelt, the I-75 corridor where the farms are being used for these large solar projects.
- **Mr. Iafelice** shared his experience at a wind turbine farm he toured in California. Do we want to say it is prohibited, as far as a commercial solar farm? He is not sure.
- **Mr. Reppert** asked if we prohibit solar as a primary use under 50 MW, can they go to the BZA?
- **Ms. Freeman** indicated yes. That would be the route, to ask for a variance.
- **Ms. Matheny** indicated that would be considered a use variance.
- **Mr. Reppert** is not in favor of allowing solar as a principal use of land.
- **Mr. Peterson** said realistically based on the land we have it likely won't happen. They would probably go to Leroy.
- **Mr. Iafelice** still has an issue prohibiting it all together. It doesn't feel right of this board to prohibit a business. Is there not a piece of land or a district that would be suitable for a solar farm? He doesn't know without studying it.
- **Ms. Freeman** indicated it could be a conditional use permit. Maybe there's a district where you could allow it with a conditional use permit, possibly in the R-4.
- **Mr. Reppert** asked under abandonment do we need to specify that the batteries need to be removed.
- **Ms. Freeman** indicated her understanding of the definition would include the batteries as well.
- **Mr. Reppert** asked if we want to cover wind turbines. The board discussed briefly that that should be a different topic to study.
- The board had a brief discussion about having the commission secretary write up minutes versus having the stenographer completing a word for word transcript. Moving forward they would request the stenographer when there are going to be any votes, or public hearings. With a work session, we also have the video recording for the public to view.
- **Mr. Reppert** asked if Ms. Freeman had enough direction from the board to come back next month with a new draft.
- **Ms. Freeman** indicated not exactly sure what the board was looking to do. It sounded like the roof top mounted was too heavy handed based on Mr. Iafelice's feedback.

- Mr. Iafelice and Mr. Wiertel think that requiring a zoning permit for rooftop may be too much.
- **Ms. Freeman** said if we don't require a permit, not sure if we should have any regulations then because there would be no way for the Township to review to ensure compliance.
- **Mr. Wiertel** thought with the ground based we should require a permit because it need to comply with setbacks.
- **Mr. Iafelice** asked if we required a zoning permit for rooftop could it be no charge.
- **Ms. Freeman** said maybe, or at least a minimal charge.

Next Meeting

- **Mr. Reppert** stated that the next meeting of the Zoning Commission will be May 6, 2025.

Adjournment

- Mr. Reppert asked for a motion to adjourn the meeting. Mr. Peterson made the motion, Mr. Schindler seconded. All in favor. The meeting was adjourned at 8:26 pm.

Hiram Reppert

Hiram Reppert, Chair

Heather Freeman

Heather Freeman, Secretary

Solar Facilities

April 1, 2025

Enabling Legislation

- H.B. 501, effective April 2023 gave Township's the authority to regulate small solar development.
- "Small Solar" means solar panels and associated facilities with a single interconnection to the electrical grid and designed for, or capable of, operation at an aggregate capacity of less than fifty megawatts.
- County's have the authority to review projects 50 MW and greater

PJM Interconnection Queue Count of Ohio Solar Projects

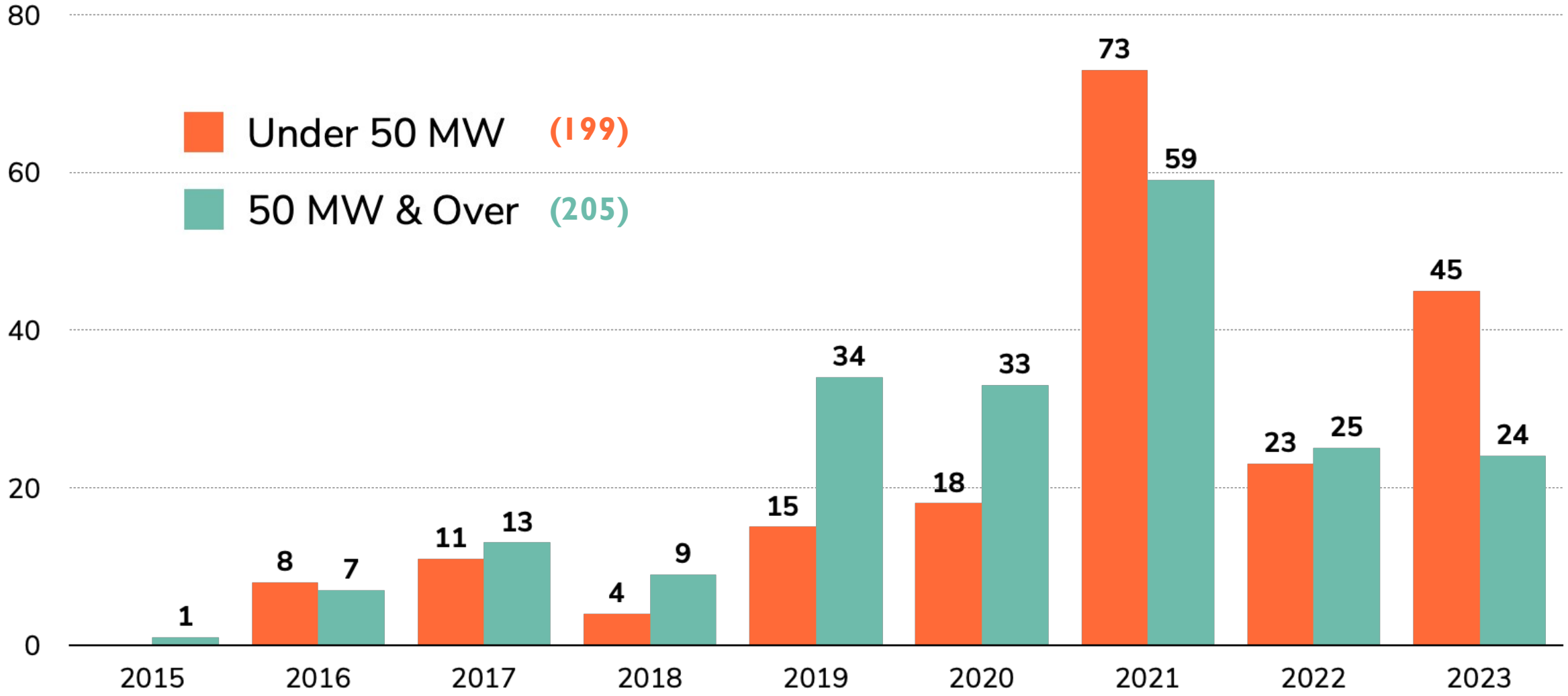


Exhibit A

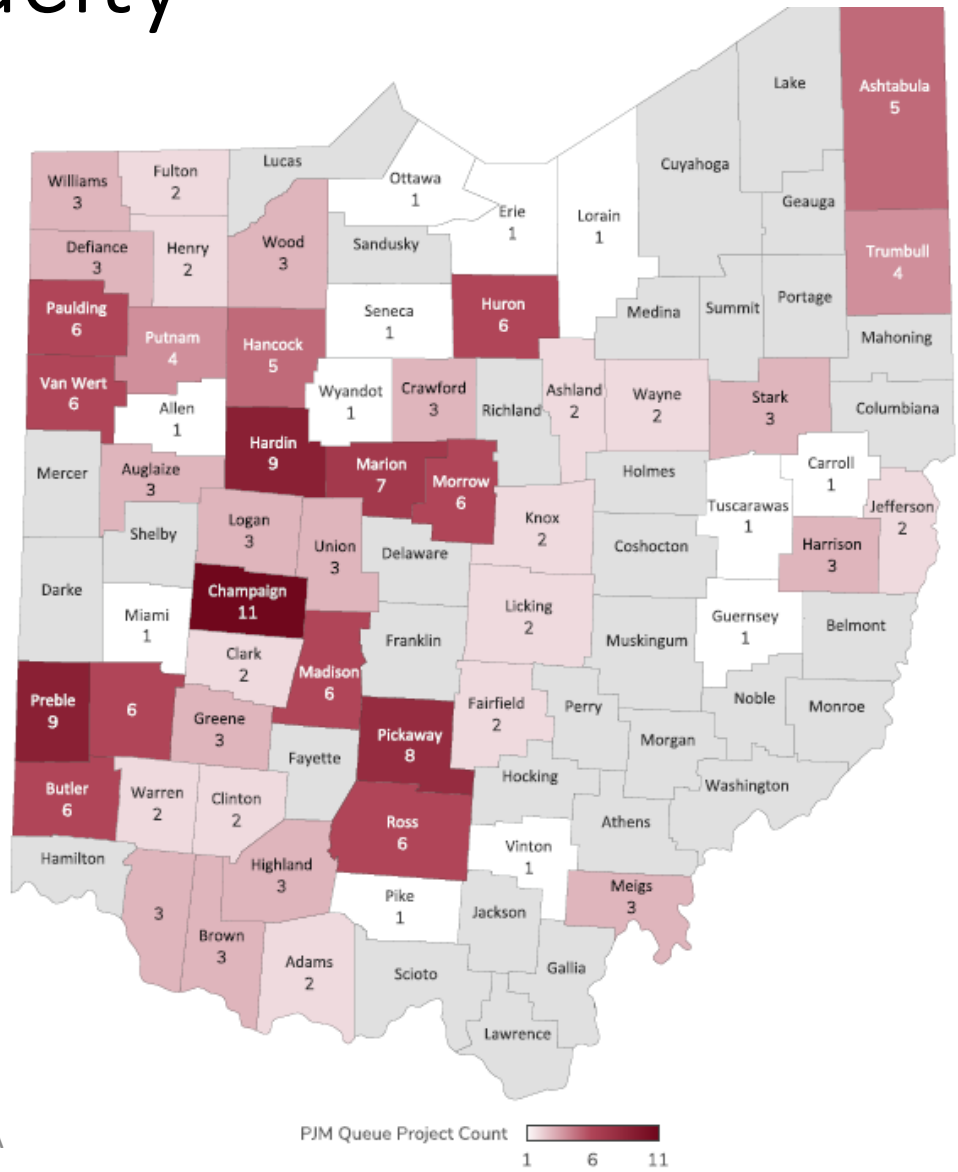
Source: OSU Extension, CFAES

Source: Ohio Power Siting Board. (2024). http://opsb.ohio.gov

Ohio Solar Planned Capacity

PJM Ohio Solar Interconnection Queue Projects By Size

Size (MW)	Count
Under 5 MW	7
6 to 10	15
11 to 20	65
21 to 30	22
31 to 40	35
41 to 49.99 MW	55
Total	**199**



Source: OSU Extension, CFAES

Small Scale Solar….is it really small?

Table 1. Comparison Chart: Megawatt Outputs to Acreage Needed

Megawatts (DC)	Acres
1 MW*	5-10
2 MW	10-20
20 MW	100-200
100 MW	500-1,000
200 MW	1,000-2,000

Source: Planning & Zoning for Solar Energy Systems, A Guide for Michigan and https://harvestsolar.com/our-work

Ohio Power Siting Board Review Criteria

- The board shall not grant a certificate unless it determines **all the following**:
  1. For electric transmission and gas pipelines, basis of need;
  2. Nature of the probable environmental impact;
  3. Facility represents minimum adverse environmental impact;
  4. Facility is consistent with regional plans for expansion of the electric power grid;
  5. Compliance with laws for air and water pollution, solid waste and air navigation.
  6. Facility satisfies the public interest, convenience, and necessity.
  7. Facility's impact on the viability as agricultural land in an existing agricultural district located within the proposed site;
  8. Facility incorporates maximum water conservation practices.

Source: OAC Chapter 4906.10 and OSU Extension

Certificate Applications for Electric Generation Facilities Contents

- Purpose and scope.
- Project summary and applicant information.
- Project description and schedule in detail.
- Project area selection and site design.
- Electric grid interconnection.
- Economic impact and public interaction.
- Compliance with air, water, solid waste, and aviation regulations.
- Health and safety, land use and ecological information.
- Regulations associated with wind farms.

Source: OAC Chapter 4906.4 and OSU Extension

Example of Studies required by OPSB

- Exhibit A - Equipment Specifications
- Exhibit B - Construction Route and Road Condition Study
- Exhibit C - Site Characterization Study Report
- Exhibit D - PJM Interconnection LLC Studies
- Exhibit E - Property Value Impact Study
- Exhibit F - Economic Impact and Land Use Analysis
- Exhibit G – Community Engagement & Complaint Resolution Plan
- Exhibit H – Glare Hazard Analysis
- Exhibit I – Certificate of Liability Insurance
- Exhibit J – Decommissioning Plan
- Exhibit K - Pre-Construction Sound Analysis
- Exhibit L - Final Geotechnical Engineering Report
- Exhibit M - Landscape Plan
- Exhibit N - Visual Assessment and Mitigation Plan
- Exhibit O - Phase I Archaeological Reconnaissance
- Exhibit P - Historic Architectural Reconnaissance Survey
- Exhibit Q - Drain Tile Mitigation Plan
- Exhibit R – Wetland and Waterbody Delineation Report

Source: OSU Extension

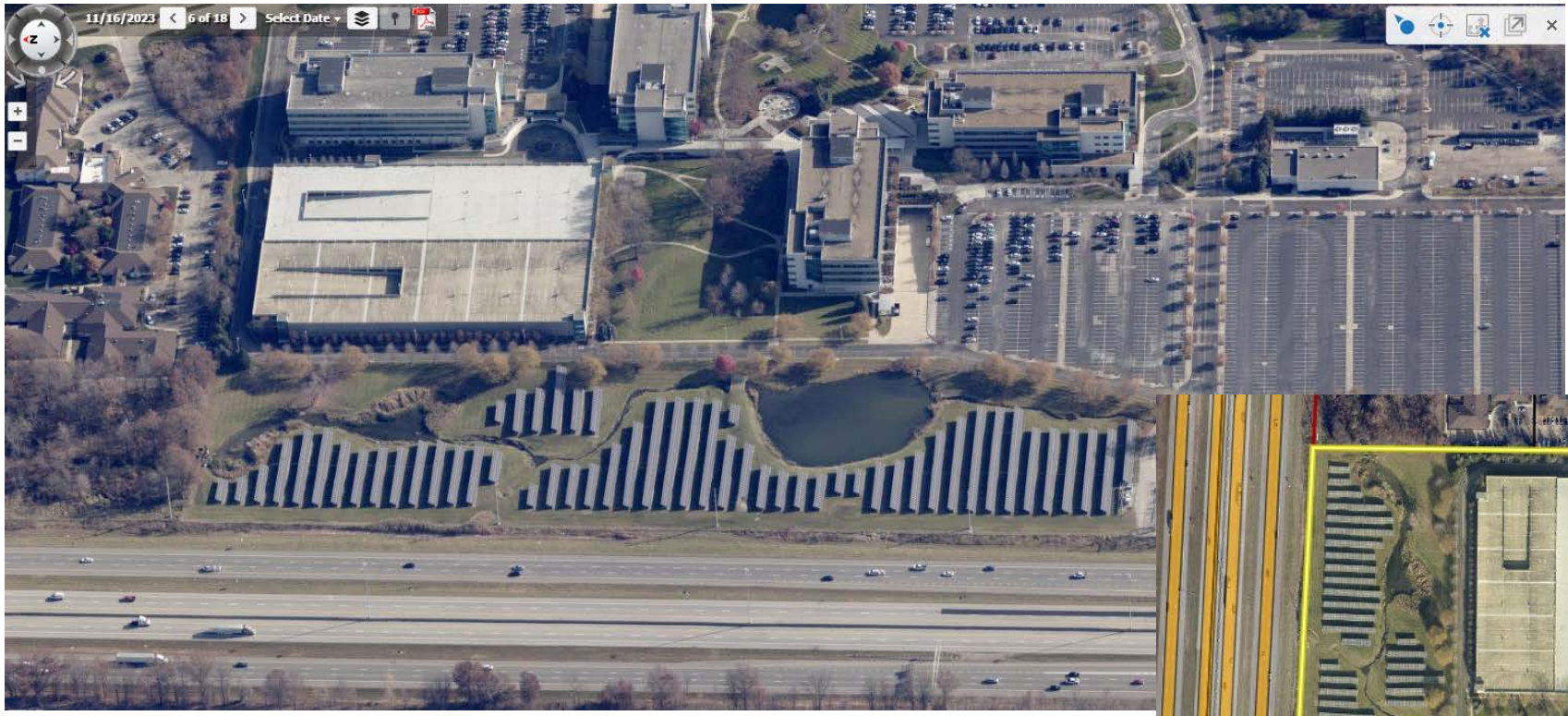
- Accessory Use versus Principal Use
- Accessory to the primary use of the property, such as a residence or a commercial building, and provides electricity that is intended for use by a primary structure located on the same parcel.
- Principal Use projects occupy single or multiple large parcels of land and are typically the primary use on the site.
- Primary Configurations – roof mounted or ground mounted

Solar Energy System Type	Natural	Rural	Urban	General Urban
Accessory Roof Mounted				
Accessory Ground Mounted				
Principal Use (Small)				
Principal Use (Large)				

Exhibit A

Source: Planning & Zoning for Solar Energy Systems, A Guide for Michigan

Exhibit A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6 of 18
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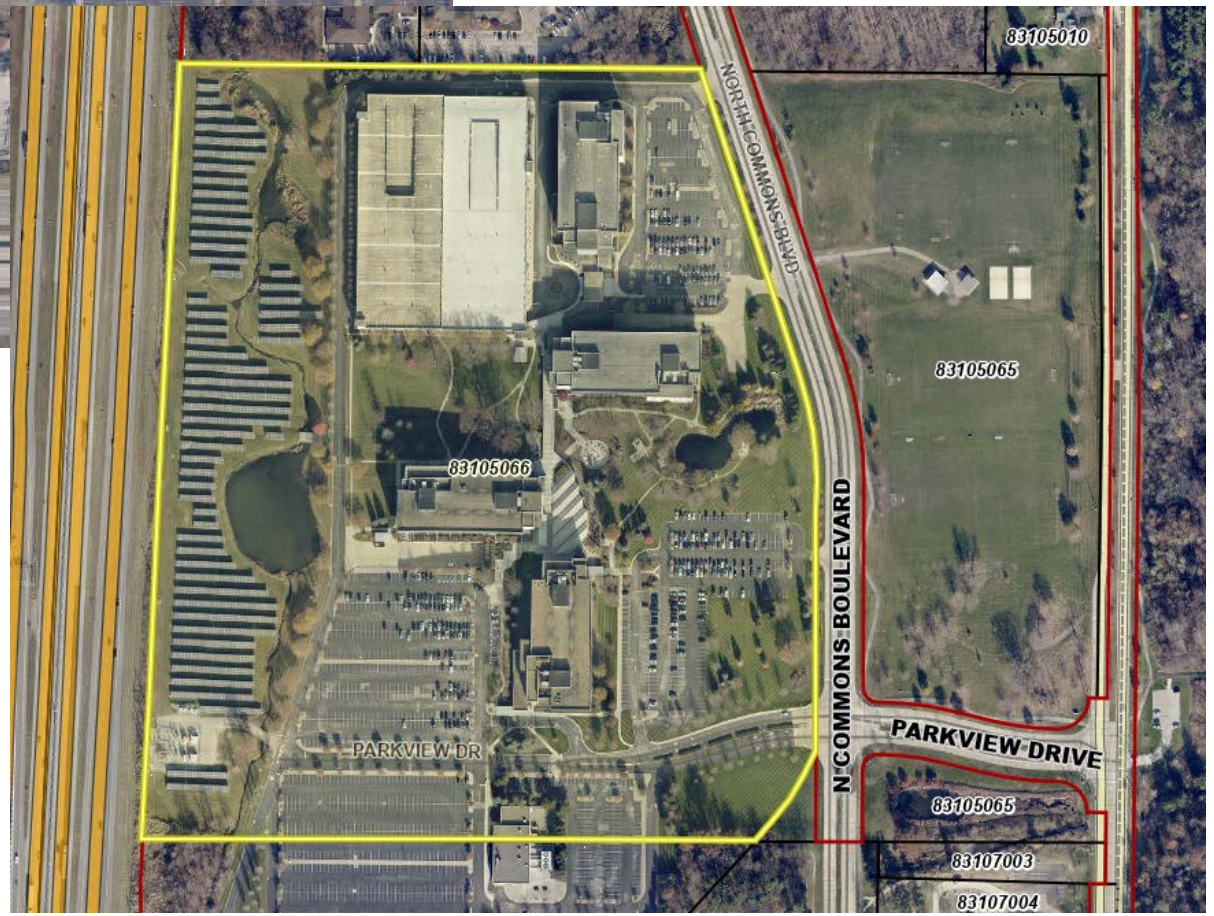
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NORTH COMMONS BLVD
83105065
83105066
PARKVIEW DR
N COMMONS BOULEVARD
PARKVIEW DRIVE
83105065
83107003
83107004

Exhibit A

Exhibit A

Zoning Considerations

- Where and what scale of solar is appropriate for Concord?
- Consistency with the comprehensive land use plan
- Purpose Statement for the regulations
- Township’s capacity to regulate
- Development standards and site plan review
- Other communities standards and text

Exhibit "B"

Draft Small Solar Regulations for the April 1, 2025 Zoning Commission Work Session

I. Purpose

The purpose of these regulations is to provide for the construction and operation of solar energy systems as accessory uses within the Township, to promote the health, safety, and general welfare of the community by establishing regulations governing the siting, construction, and maintenance of solar energy systems.

II. Definitions

The words and terms used in this Section shall have the following meanings:

Abandonment – The discontinued use of a solar energy system in whole or part.

Accessory Ground Mounted Solar Energy System - A ground mounted solar energy system with the purpose primarily of generating electricity for the principal use on the site.

Ground Mounted Solar Energy System - A solar energy system mounted on support posts, like a rack or pole that are attached to or rest on the ground.

Integrated Solar Energy System - A solar energy system that is an integral part of a primary or accessory building or structure (rather than a separate mechanical device), replacing or substituting for an architectural or structural component of the building or structure. Integrated systems include, but are not limited to, photovoltaic or hot water solar energy systems that are contained within roofing materials, windows, skylights, and awnings.

Maximum Tilt - The maximum angle of a solar array (i.e., most vertical position) for capturing solar radiation as compared to the horizon line.

Principal Use Small Solar Energy System – A commercial, ground-mounted solar energy system generating less than 50 MW that converts sunlight into electricity for the primary purpose of off-site use through the electrical grid or export to the wholesale market.

Roof Mounted Solar Energy System - A solar energy system mounted on racking that is attached to or ballasted on the roof of a building or structure.

Small Solar Facility - Solar panels and associated facilities with a single interconnection to the electrical grid and designed for, or capable of, operation at an aggregate capacity of less than 50 MW.

Solar Array - A photovoltaic panel, solar thermal collector, or collection of panels or collectors in a solar energy system that collects solar radiation.

Solar Energy – Radiant energy (direct, diffused, or reflected) received from the sun that can be collected and converted into thermal or electrical energy.

Solar Energy System – A system and associated facilities that collect solar energy, which may include, but is not limited to, an integrated solar energy system, rooftop mounted solar energy system, or ground mounted solar energy system.

III. General Provisions

1. Solar energy systems shall only be permitted as an accessory to a principal use or building located on the same lot, and shall not be permitted as a primary or principal use.
2. Principal use small solar energy systems are prohibited in any district.
3. Solar Energy Systems shall be properly maintained at all times in compliance with all manufacturers' specifications and any state or federal regulation not in conflict with the requirements contained in the Resolution.

IV. Roof Mounted Solar Energy Systems

1. **Districts.** Roof mounted solar energy systems are permitted in all zoning districts in compliance with these regulations.
2. **Height.** Roof mounted solar energy systems shall either be integrated into the roof layer or a separate flush mounted panel attached to the roof surface and shall not project vertically if installed on a pitched roof. The use of standard, low profile mounting hardware required to attach panels to a roof surface shall not be considered a projection. Panels or tubing installed on flat roofs may project vertically if not visible from any street.
3. **Integrated energy solar systems**. For commercial and non-residential uses, integrated solar systems will be reviewed as part of the Design Review as required in Section XXXVII of this Resolution.
4. **Appearance.** All solar arrays must have a non-reflective coating to minimize glare, and shall be uniform in appearance and color. White or grey grid lines on solar energy systems are not permitted with the exception of those placed onto flat roofs in non-residential districts that are screened from view.
5. **Location.** No portion of any roof mounted solar energy system may extend below the roof line or above the highest point of the roof.
6. **Nonconformities.** A roof mounted solar energy system or building integrated solar energy system installed on a nonconforming building, structure or use shall not be considered an expansion of the nonconformity.
7. **Application.** A zoning permit application for a solar energy system must include a site plan. Applications for roof mounted solar energy systems must include horizontal and vertical elevation drawings that show the location of the height of the solar energy system on the building, dimensions and color of the solar energy system.

V. Accessory Ground Mounted Solar Energy Systems

1. **Districts.** Ground mounted solar energy systems are permitted as an accessory structure in non-residential districts and shall not be permitted as a primary or principal use.

2. **Location.** Ground mounted solar energy systems shall only be placed to the side or rear of the principal building on the lot.
3. **Setbacks.** A ground mounted solar energy system must comply with the setback requirements applicable to the zoning district where located.
4. **Height.** A ground mounted solar energy system shall not exceed 20 feet measured from the ground to the top of the system when oriented at maximum tilt.
5. **Lot coverage.** Ground mounted solar energy systems shall be included as part of the impervious surface area calculations applicable to the zoning district where located.
6. **Glare.** Ground mounted solar energy systems shall be installed so as to prevent any negative impact of glare or reflection therefrom on any neighboring property or right-of-way.
7. **Visibility:** A ground mounted solar energy system in shall be located in the side or rear yard to minimize visual impacts from the public right-of-way(s).
    a. Ground mounted solar energy systems may be placed in the front yard with approval by the Zoning Commission, where the applicant can demonstrate that placement of the solar energy system in the rear or side yard will:
        i. Decrease the efficiency of the solar energy system due to topography, accessory structures, or vegetative shading from the subject lot or adjoining lots; or
        ii. Interfere with septic system, accessory structures, or accessory uses.
8. **Exemptions.** A solar energy system used to power a single device or specific piece of equipment such as a lawn ornament, lights, weather station, thermometer, clock, well pump or other similar singular device is exempt from this section.
9. **Nonconformities.** A ground mounted solar energy system installed on a nonconforming lot or use shall not be considered an expansion of the nonconformity.
10. **Application**. A zoning permit application for a solar energy system must include a site plan. Applications for ground mounted solar energy systems must include horizontal and vertical elevation drawings that show the location of the height of the solar energy system at maximum tilt, dimensions, and color of the solar energy system. If the solar energy system is proposed in the front yard, a site plan review application shall be submitted for the Zoning Commission to review and approve prior to the Zoning Inspector issuing the zoning permit.

VI. Abandonment

Upon abandonment, the property owner shall physically remove the solar energy system within sixty (60) days from the abandonment. “Physically remove” shall include, but not be limited to:

A. Removal of the solar energy system and related above grade structures.
B. Restoration of the location of the solar energy system to its prior condition.

Staff Comments: Other Updates that will need to be included in the ZR to reference the new Section on Solar Energy Systems.

- Revise Section XI – to require a zoning permit for solar energy systems
- Revise Section XXXVI, Site Plan Review to reference solar energy systems to be shown on the site plan if proposed with a new or expanded non-residential use, or if in the front yard.
- Revise Section XXXVII, Design Review to reference solar energy systems to be included if proposed with a new or expanded non-residential use
- Revise Section XV, Residential table of uses to include under accessory uses
- Revise Section XXII, Commercial Table of Uses to include under accessory uses
- Revise the Fee Schedule