

**Wood County Planning Commission
May 7, 2013 @ 5:30 PM**

The Wood County Planning Commission met in regular session on Tuesday, May 7th, 2013 at the County Office Building in Bowling Green. Planning Commission members in attendance were: John Brossia, Jim Carter, Patrick Fitzgerald, Doris Herringshaw, Ray Huber, Joel Kuhlman, Donna and Leslee Thompson. Planning Commission Staff in attendance was Dave Steiner and Katie Baltz. No guests signed in on the attendance sheet.

NEW BUSINESS

Chairman Thompson called the meeting to order. Upon calling the meeting to order, Mr. Carter made a motion to approve the April 2013 Planning Commission meeting minutes. Mr. Kuhlman seconded the motion and Commission members responded in full support.

STAFF ACTIVITIES REPORT – April 2013

Mr. Steiner reported the following summary of activities for the month of April, 2013; Reviewed Webster Township text amendment, received notification of \$191,000 award amount for FY13 CDBG program; Requested bids for FY12 Pemberville project; Accepted bids for the 13 demolitions for the Moving Ohio Forward Grant, Environmental Reviews for FY12 Community Development Block Grant (CDBG) were released; Planner and Director attended FY13 CDBG training; Interviewed and selected a summer intern, completed various budget and grant status reports.

WEBSTER TOWNSHIP - ZONING

A text amendment to the current Webster Township Zoning Resolution had been submitted by Gregory Bakies. The amendment would allow for large propane distribution tank(s) to be located in areas of the township zoned A-1 Agricultural as a conditional use. The language would limit these operations to State Routes only and would be subject to fencing and screening requirements.

Mr. Steiner began his review and discussion by explaining that the amendment was introduced in order to allow a Webster Township resident to locate a large scale propane distribution tank on land they own on State Route 105. Mr Steiner explained that the proposed amendment would require an applicant to obtain a conditional use permit, and it would not change the underlying zoning of the parcel. Mr. Steiner stated that doing this eliminated the possibility of a spot zone of industrial or commercial land surrounded by lands zoned agricultural.

Mr. Steiner explained that the amendment also required that these facilities be located along State Routes only. The amendment required that buffering and fencing be installed

around the tank(s) and that no more than two (2) employees other than family members may work at the site.

Mr. Steiner reiterated that while this amendment was introduced to solve the dilemma of one township land owner, if it were to go into effect, it would apply to the entire township. Mr. Steiner noted that it was the recommendation of the Wood County Planning Commission staff that the Planning Commission recommend to Webster Township that the Township approve the amendment.

Mr. Carter and Ms. Thompson questioned if the propane business would be an insurance liability, and who would be responsible for carrying the insurance. Mr. Steiner stated that the applicant would have to secure the appropriate insurance. Mr. Steiner also stated that the Planning Commission could recommend that the township require proof of insurance as part of their conditional use permit application.

Mr. Kohring stated that he liked that the language limited the propane businesses to the state routes; he then questioned why the amendment was being proposed as a home business. Mr. Steiner stated that he suspected it was done this way in order to avoid changing the underlying zoning/allowing a spot zone, but rather making it a conditional use.

Mr. Kohring noted that in the text amendment the setback from an onsite dwelling was only 25 feet. Mr. Kohring suggested that this requirement be increased to 100 or 150 feet from a dwelling.

Ms. Linda Holmes of the Wood County Prosecutor's office explained that requiring somebody to carry a certain amount of insurance may not be within the realm of zoning. Ms. Holmes explained that Propane is not regulated by the PUCO, as it is not considered a public utility. Mr. Holmes further expressed that this conditional use was relatively compatible with an agricultural area as it doesn't necessarily require public water or public sewer to function.

Mr. Fitzgerald suggested that the township looking into local safety standards as they exist and consider attaching them to the conditional use permit process. Mr. Brossia questioned whether the text should be reviewed to make it more applicable to the entire township not just this particular applicant. Mr. Kohring reiterated that setbacks from dwellings and clarification on buffering should be reviewed by the township.

Mr. Fitzgerald made a motion to approve the Webster Township text amendment.

Mr. Jim Cajka, Webster Township Trustee, expressed that residents were concerned about opening up development in a township that is strictly agricultural. He stated that there is no public water or sewer on site and the township doesn't have their own fire or ems squads. Mr. Cajka noted that he appreciated hearing the discussion from people outside of the township.

Mr. Kuhlman asked if a propane business and a greenhouse would be considered 2 businesses. Ms. Holmes stated that this would not be considered 2 businesses; a greenhouse would probably qualify as a nursery and is an agricultural use which is exempt from zoning. Ms. Holmes explained that the propane business would be a separate business that would have to meet the permitted uses.

Mr. Kuhlman questioned how the proposed conditional use is different than agricultural use. Ms. Holmes answered that the property owner is selling a product, called propane. She explained that the applicant is asking for approval to allow this specific commercial use in an agricultural district as a conditional use.

There being no further discussion of the item, Mr. Kohring seconded Mr. Fitzgerald's motion to approve the text amendment, with the recommendation to the township to consider setbacks to adjacent structures.

Upon calling for a vote, members voted one (1) member in favor, six (6) members opposed, one (1) abstention (Ms. Schuerman), motion denied.

DIRECTOR'S TIME

Mr. Steiner stated that he was originally planning on giving the commission members a presentation on floodplains; it was decided to save this presentation for the July meeting.

Mr. Steiner noted that the next meeting is June 4, 2013 and the projects for the Block Grant will be selected. Mr. Steiner noted that the number of projects this year was limited to four (4) projects and a total of \$191,000 dollars.

There being no further discussion, Ms. Schuerman made a motion to adjourn the May 7, 2013 Planning Commission meeting. Mr. Kohring seconded the motion and Planning Commission members responded in full support.