

Meeting Minutes
Wood County Planning Commission
March 5, 2019 @ 5:30pm

The Wood County Planning Commission met in regular session on Tuesday, March 5, 2019 at the County Office Building in Bowling Green, Ohio. Planning Commission staff members in attendance were David Steiner and Deminique Heiks. Planning Commission members in attendance were Tony Allion, Steve Arnold, Ted Bowlus (departed at 6:15 pm), John Brossia, John Musteric, Barbara Ruland, Jeffrey Schaller, John Schuerman, and Erik Wineland. Eight guests were in attendance.

Chairman John Musteric called the meeting to order.

Old Business

New Business

Mr. Bowlus made a motion to approve the February 2018 Planning Commission meeting minutes. Mr. Arnold seconded the motion. Mr. Musteric called for a vote.

Mr. Allion - Yes, Mr. Arnold - Yes, Mr. Bowlus - Yes, Mr. Brossia - Yes, Ms. Herringshaw - Absent, Mr. LaHote - Absent, Mr. Musteric - Yes, Ms. Ruland - Abstain, Mr. Schaller – Yes, Mr. Schuerman - Yes, Mr. Wineland - Yes.

ZONING – HENRY TOWNSHIP

The Henry Township Trustees submitted a resolution to initiate the rezoning of approximately 1,920 acres of land in the southwest portion of the township from an A Agricultural zoning classification to an Industrial zoning classification.

Mr. Steiner provided an overview of the application. Mr. Steiner stated that this is an area that the Economic Development Commission, Port Authority, Henry Township, and he long wanted to be zoned industrial, and an industrial land use for the area had been taken into account when the current Land Use Plan was drafted. Mr. Steiner stated the Land Use Plan identified the land as a Targeted Economic Development area. Mr. Steiner stated he recommended approval of the application.

Mr. Wineland asked whether the commission members approve the application or make a recommendation. Mr. Steiner stated the board's role is to make a recommendation to the township to approve or deny the application. Mr. Steiner stated the township trustees have the final decision as to whether or not to approve the application.

Mr. Wineland asked about the Ohio Department of Natural Resources (ODNR) Wildlife Production Area that is located near the parcels. Mr. Steiner stated the end user would most likely need to coordinate with the ODNR. Mr. Wineland asked if the parcels were part of that area. Mr. Steiner stated no.

Mr. Wineland asked the guests in attendance representing the rezoning request to identify themselves. Mr. Skip Baltz identified himself as the zoning inspector for Henry Township. Mr.

John Stewart identified himself as a Henry Township Trustee. In addition to the Henry Township representatives, Carri Leathers Stanley from the Wood County Prosecutor's Office identified herself as the legal counsel for Henry Township. Mr. Wineland asked them if they had heard from any of the surrounding neighbors in regards to the proposal. Mr. Skip Baltz, the Henry Township stated that some farmers raised their concerns that the rezoning would increase their property taxes. Mr. Baltz told the concerned individuals that their property taxes would not increase, if they continued to farm the land.

Mr. Arnold made a motion to recommend that Henry Township approve the rezoning request. Mr. Schaller seconded the motion.

Mr. Musteric called for a vote.

Mr. Allion - Yes, Mr. Arnold - Yes, Mr. Bowlus - Yes, Mr. Brossia - Yes, Ms. Herringshaw - Absent, Mr. LaHote - Absent, Mr. Musteric - Yes, Ms. Ruland - Yes, Mr. Schaller – Yes, Mr. Schuerman - Yes, Mr. Wineland - Yes.

ZONING – TROY TOWNSHIP

A Stanley and Kathryn A. Chlebowski submitted an application to rezone a 69.85 acre parcel of land in Section 4 of Troy Township from an A-1 Agricultural zoning classification to an I-1 Light Industrial zoning classification.

Before he began his presentation, Mr. Steiner stated to the Commission members that even if the subject parcel were to be rezoned, it could still be farmed and would not be taxed at the industrial rate, just like the parcels involved in the Henry Township rezoning.

Mr. Steiner provided an overview of the application. Mr. Steiner stated the applicants intended to install a solar array on the property. Mr. Steiner reminded the members that if the parcel is rezoned, then any permitted industrial use or approved conditional use could occur on it.

Mr. Arnold asked if a residence was located north of the parcel. Mr. Steiner stated yes.

Mr. Steiner stated the Future Land Use Plan classifies the location of the parcel as being in a Growth Management area. Mr. Steiner stated growth is expected in the area, but the purpose of the designation is to ensure the area grows in a controlled manner. Mr. Steiner stated he recommended approval of the application.

Mr. Phil Caron, the applicants' representative, stated the applicants have a great deal of experience in the solar energy field.

Mr. Wineland asked Mr. Caron to describe what the solar array would look like when the construction was completed. Mr. Caron stated the solar array would be low to the ground. Mr. Caron explained that no concrete would be utilized in the installation. Mr. Wineland inquired about the amount of panels that would be installed. Mr. Caron stated he did not know.

Mr. Brossia inquired about the recipients of the energy generated by the solar array. Mr. Caron stated First Energy would receive the energy. Mr. Wineland asked Mr. Caron if the energy

would be sold to First Energy. Mr. Caron stated yes, the applicants' company would be a third tier energy supplier.

Ms. Ruland asked Mr. Caron if he had an estimated yield. Mr. Caron stated yes. Ms. Ruland asked how many homes could be powered by the energy. Mr. Caron stated he did not know.

Mr. Schaller asked about the status of the property with a residence just north of the parcel. Mr. Caron stated the applicants had not released the program to many individuals. Mr. Caron added that if the owners of the property north of the parcel intended to sell their property, the applicants would purchase the property. Mr. Steiner stated the owners would be notified about the rezoning by Troy Township, which is a legal requirement per the Ohio Revised Code. Mr. Caron stated all of the surrounding property owners will be notified and invited to a public hearing about the proposed rezoning before the final decision is made.

Mr. Brossia asked how many of the parcel's acres would be utilized for the solar array. Mr. Caron stated that they plan to use as many as possible.

Ms. Linda Holmes, a Wood County prosecutor, asked if the high rock in the area would impact the installation and if high winds would cause issues. Mr. Caron stated no.

Mr. Brossia stated he was interested in learning the opinion of Troy Township's representative. Mr. Todd Gottschalk, the Troy Township zoning inspector, stated he did not see the solar array being an issue, but he had some reservations about the rezoning because it had the potential to result in uses other than a solar array.

Ms. Holmes presented an alternative option for the solar array. Instead of rezoning the parcel to an I-1 Light Industrial zoning classification, Troy Township could amend the text of their Zoning Resolution to make a solar array a conditional use in an A-1 zoning district.

Ms. Ruland asked for clarification about one of Mr. Steiner's slides, which said any use would have to run through the Troy Township Board of Zoning Appeals. Mr. Steiner stated he believed all of uses in the I-1 zoning classification were conditional uses that would require approval from the Troy Township Board of Zoning Appeals. Mr. Gottschalk stated the I-1 zoning classification does include permitted uses. Mr. Gottschalk added that site reviews would still need to take place for any end uses.

Mr. Wineland expressed concerns about the rezoning, especially in regards to the parcel's location in a Growth Management area. Mr. Wineland stated it seemed like the proposed zoning would result in a jigsaw-type zoning.

Mr. Wineland stated he was intrigued with Ms. Holmes's idea to keep the current zoning classification and allow a solar array to be a conditional use. Mr. Wineland asked if that proposition would harm the project. Mr. Caron stated he did not think the proposed alternative would harm the project, but timing would be an issue. Mr. Steiner asked if enacting the proposed alternative would allow the solar array project to meet its deadlines. Mr. Gottschalk said following the steps of the proposed alternative would push the timeline right up to the deadline. Ms. Ruland asked about the potential impacts of denying the rezoning request and

recommending the alternative option. Mr. Gottschalk stated it would result in delaying the solar array project by a month. Ms. Holmes stated there is some authority to modify the application, but she would need to do more research on that area.

Mr. Wineland asked whether the board approved similar requests in the past, looking for specific examples. Mr. Steiner said the Troy Energy facility was a similar situation.

Mr. Musteric asked Mr. Wineland to further explain his concerns about the rezoning in the Growth Management area. Mr. Wineland stated he was looking for consistency. Mr. Wineland stated he did not think it was a good policy for a Growth Management area to have an inconsistent mix of different types of zoning. Mr. Steiner stated the large size of the parcel negates a spot zoning argument. Mr. Steiner further added that the parcel's location on a major road, near a highway and interstate, makes it a manageable area. Mr. Steiner stated that area is where industrial uses should be located. Ms. Holmes stated if any other industrial use would occur on the property, it would incur quite an expense because utilities would need to be extended to the parcel. Ms. Holmes said she did not believe the parcel would quickly turn over to another industrial use.

Mr. Brossia asked if Troy Township and the schools nearby would benefit from the proposed project. Mr. Caron stated the taxation would be higher for a solar array than farmland.

Mr. Schaller asked Mr. Caron if he had an estimated cost for the project. Mr. Caron stated the estimate was between \$10-11 million. Ms. Holmes asked Mr. Caron if he was going to seek a tax abatement. Mr. Caron stated yes.

Mr. Musteric stated the ditch on the property is under maintenance, so there are setbacks for it. Mr. Musteric stated a permit from the state would be required for ingress and egress.

Mr. Schaller made a motion to recommend that Troy Township approve the request to rezone the parcel to an I-1 Light Industrial classification. Ms. Ruland seconded the motion.

Mr. Musteric called for a vote.

Mr. Allion - Yes, Mr. Arnold - Yes, Mr. Bowlus - Yes, Mr. Brossia - Yes, Ms. Herringshaw - Absent, Mr. LaHote - Absent, Mr. Musteric - Yes, Ms. Ruland - Yes, Mr. Schaller - Yes, Mr. Schuerman - Yes, Mr. Wineland - Yes.

SUBDIVISION – MIDDLETON TOWNSHIP

Feller and Finch and Associates, on behalf of McCarthy Builders, had submitted a request to extend preliminary plat approval for the plats of the Village at Riverbend and River Bend Lakes Plats 4-6.

Mr. Steiner stated he did not believe anything changed with River Bend Lakes. Mr. Musteric concurred.

Mr. Steiner noted that Mr. Musteric informed him that the Village at Riverbend plat had changes made to it that were different than what the Planning Commission had originally

granted approval to. Mr. Musteric stated that the applicants should have submitted the same plat drawing the board granted preliminary approval to. Mr. Musteric stated that no representatives for the item were in attendance.

Mr. Steiner recommended the members approve the River Bend Lakes request and deny the Village at Riverbend request, until they receive more information.

Mr. Musteric stated they should table the River Bend Lakes request until the plat developers produced a drawing of what they intend to carry out.

Mr. Wineland asked which subdivision did they previously have issues with certain commitments. Multiple members answered the Village at Riverbend.

Mr. Wineland asked if developers are provided guidance on what they need to submit. Mr. Steiner stated he was unsure and would need to look into it. Mr. Steiner stated the letters are definitely required, but did not know if they are required to resubmit the plat.

Ms. Ruland stated both letters state that no changes were made to the plats.

Mr. Allion stated it would prevent issues to ask them to resubmit the plat.

Mr. Wineland made a motion to approve the preliminary approval extension of the River Bend Lakes Plats 4-6 development and to table the Village at Riverbend preliminary approval extension request until clarification that the preliminary approved layout had not changed. An additional component to Mr. Wineland's motion was that the status of the road that was previously committed to be clarified. Mr. Allion seconded the motion.

Mr. Musteric called for a vote.

Mr. Allion - Yes, Mr. Arnold - Yes, Mr. Bowlus - Absent, Mr. Brossia - Yes, Ms. Herringshaw - Absent, Mr. LaHote - Absent, Mr. Musteric - Yes, Ms. Ruland - Yes, Mr. Schaller - Yes, Mr. Schuerman - Yes, Mr. Wineland - Yes.

PUBLIC FORUM

CHAIRMAN'S TIME/COMMISSION MEMBERS' TIME

DIRECTOR'S TIME

Staff Activity Report

Mr. Steiner asked the commission members if the staff activities report they received fulfilled the requests they made at the February meeting.

Mr. Musteric asked for 2019 to be included in the table.

Mr. Steiner reviewed the staff activities performed in February 2019.

Mr. Schaller made a motion to adjourn the March 5, 2019 Planning Commission meeting. Mr. Wineland seconded the motion. Commission members responded in full support. The meeting adjourned.

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