**Meeting Minutes**

**Wood County Planning Commission**

**August 10, 2021**

**5:30 pm**

The Wood County Planning Commission met in regular session on Tuesday, August 10, 2021 at the County Office Building in Bowling Green, Ohio.  Planning Commission staff members in attendance were: David Steiner and Jamie Stanley. Planning Commission members in attendance were: Steve Arnold, Ted Bowlus, Brendyn George, Jeffrey Schaller, John Scheurman and Brian Swope.  Eight (8) guests were in attendance.

Acting Chair Ted Bowlus called the meeting to order.

**Old Business**

None

**New Business**

Mr. Bowlus made a motion to approve the July 2021 Planning Commission meeting minutes with noted correction. The members voted all in favor to pass the motion.

The motion to approve carried. Vote: 6 yes and 0 no.

**Zoning– Troy Township**

Mrs. Stanley explained that the applicant, Nicholas Gabel, had submitted a request to rezone a six acre parcel of land in the Road Tract #55 of Troy Township from an A-1 Agricultural zoning classification to a C-1 Neighborhood Commercial zoning classification. Mrs. Stanley stated the applicant proposed to utilize the parcel and existing structure as an engine repair facility for heavy duty diesel pick up trucks.

Mrs. Stanley explained the 6.00 acre parcel is located at the southwest corner of State Rte 420 S and Fremont Pike. The parcel is just west of the State Rte. 420 S to Fremont Pike E ramp.

Mrs. Stanley explained that the parcels to the west of the parcel and those located north across Fremont Pike are zoned A-1 Agricultural and the parcels located immediately east and south of the property are zoned B-PUD Planned Business.

Mrs. Stanley stated that there is a structure currently on the parcel and that utilities are available on the parcel. Additionally, Mrs. Stanley stated that there are no floodplains or wetlands on the parcel.

Mrs. Stanley stated that the subject acreage is currently zoned A-1 Agricultural and the change to C-1 Neighborhood Commercial would fit for the area. Mrs. Stanley stated that the acreage is located in a Targeted Economic Development area and shares a boundary with B-PUD Planned Business District parcels.

Mrs. Stanley explained that the proposed use does not fit in as a permitted use under the C-1 classification and will require that the applicant submit an application to Troy Township to request a Conditional Use Permit.

Mrs. Stanley stated the Wood County Planning Commission staff recommends that the Planning Commission recommend the approval of the rezoning request if the applicant is apprised of the additional steps required to utilize the parcel as they propose to.

The public discussion included comments from a neighboring property owner who explained her concerns with increased speeding and potential for dangerous traffic issues. The business owner explained he had conversations with ODOT and had received a Commercial permit for access.

Mr. Bowlus called for a vote. Mr. Schaller made a motion to recommend approval. Mr. Swope seconded the motion.

Mr. Arnold - Yes, Mr. Bowlus - No, Mr. Brossia - Absent, Mr. George – Yes

Ms. Herringshaw - Absent, Mr. LaHote - Absent, Mr. Musteric - Absent, Mr. Schaller – Yes , Mr. Schuerman - Yes, Mr. Swope – Yes, Mr. Wineland – Absent.

The motion to approve carried. Vote: 5 yes and 1 no. Motion carried.

**Zoning– Troy Township**

Mr. Steiner explained that the applicant, JDS Lands, had submitted a request to rezone a five acre parcel of land in Section 3 of Troy Township from an A-1 Agricultural zoning classification to a C-2 Commercial zoning classification. Mr. Steiner stated that the reason for the request is that the subject parcel is located next to an existing trucking operation – trucking terminal and the applicants wish to expand their operation onto the subject parcel and need to have the zoning match the proposed end use.

Mr. Steiner explained that the subject parcel is located in Section 3 of Troy Township, approximately 430’ ft. south of the northeast corner of State Route 420 and Genoa Road (State Route 163).

Mr. Steiner stated the parcels to the south and west are also zoned A-1 Agricultural and the lands to the north and east are zoned C-1 Commercial. Mr. Steiner stated that the Wood County Comprehensive Land Use Plan has the area where the parcel is located at as being in a growth management area. Mr. Steiner also stated that there are no floodplains or wetlands on the parcel.

Mr. Steiner stated that the parcel in question is a proposed split off of a larger 107 acre parcel.
Mr. Steiner explained that the owners wished to parcel off the five acres of agricultural zoned land for the purpose of expanding their existing trucking terminal business and need appropriately zoned commercial property to do so.

Mr. Steiner explained that the parcel is located in an area designated as a growth management area and that decisions in these areas need to be made carefully to guide the growth correctly.

Mr. Steiner explained that the zoning classification is the primary issue with the request. Mr. Steiner stated the applicants are requesting a C-2 Commercial zoning classification and that their existing operation consists of C-1 Commercial zoning. Mr. Steiner further explained that their business – operation has preceded township zoning by many years. He further explained that when Troy Township became zoned, the township arbitrarily zoned the parcels C-1 Commercial. Mr. Steiner stated that as the township’s zoning resolution evolved over the years, the parcel’s end use (a trucking terminal) is no longer a permitted use in a C-1 or C-2 District. Mr. Steiner stated that it is a permitted use in the Township’s B-PUD zoning district. Mr. Steiner stated that this means a C-2 Commercial zoning classification as requested will not allow the applicant’s end use. Mr. Steiner explained that the Township can either deny the request, or, if the applicant is agreeable, modify the agreement to rezone the property to B-PUD.

Mr. Steiner stated the application could be pulled and language could be drafted to allow for trucking terminals to be permitted and or conditional uses in a C-2 Commercial district. Mr. Steiner stated this option is not ideal as trucking terminals are not true commercial used and in all other zoned townships in the county they fall under industrial zoning.

Mr. Steiner stated that the Planning Commission Director recommends the Commission recommend to Troy Township that they deny the request because the applicant’s end use is not allowable under a C-2 Commercial zoning classification. Mr. Steiner stated that the township can elect, if the applicants are agreeable to do so, to amend the application so that the property is being requested to be rezoned to B-PUD where the end use they seek is permitted.

There was discussion.

Mr. Arnold made a motion to deny the request for a zoning change. Mr. George seconded the motion.

Mr. Bowlus called for a vote.

Mr. Arnold - Yes, Mr. Bowlus - Yes, Mr. Brossia - Absent, Mr. George – Yes

Ms. Herringshaw - Absent, Mr. LaHote - Absent, Mr. Musteric - Absent, Mr. Schaller – Yes , Mr. Schuerman - Yes, Mr. Swope – Yes, Mr. Wineland – Absent.

The motion to deny carried. Vote: 6 yes and 0 no. Motion carried.

**Zoning– Troy Township**

Mr. Steiner stated that the Troy Township Zoning Commission had submitted a series of text amendments to their current zoning resolution with said text changes dealing primarily with changes to the township’s existing wind turbine language.

Mr. Steiner explained that the first amendment adds the requirement that in B-PUD Districts wind turbines must follow the requirements outlined in Article 7 of the Township’s Resolution.

Mr. Steiner shared that the following changes are being proposed within Article 7 – Wind Turbines: the township is proposing that the definition of a professional engineer be removed from the definitions section; the township is also proposing that all applicants intending to install a wind turbine submit a drawing to the zoning inspector showing the locations of all public and private airports in relation to the proposed turbine, the location of the unit in relation to existing structures on the property, roads and right of ways, and neighboring properties; and the township also wants to require applicants to provide a report showing a maintenance and dismantling plan for the turbine, a clear fall zone as recommended by the manufacturer, the maximum decibel level of the unit, the kilowatt size and generating capacity of the particular unit, a list of all safety devices, the total size of the unit, and the total size and depth of the unit’s mounting pad as well as soil and bedrock data.

Mr. Steiner stated that township is proposing that all turbines be considered conditional uses in all zoning districts in the township. Mr. Steiner stated this would mean that a conditional use permit would need to be obtained each time an applicant wanted to construct a turbine in the township.

Mr. Steiner explained that the township is proposing limiting the number of turbines that can be located on a parcel based on the acreage of the parcel.

Mr. Steiner stated that requiring wind turbine regulations in all zoning districts is a good idea and that B-PUD section not being subject to them may have been an error or oversight.

Mr. Steiner stated that requiring a detailed drawing for each application is a good idea in that it not only identifies potential problems before a structure is erected, but also memorializes the site plan in case of future violations. Mr. Steiner cautioned that there is the potential for an increased workload for the zoning inspector depending on the sophistication of the unit requested and an increased need for technical expertise as the complexity increases.

Mr. Steiner cautioned that making turbines a conditional use in every district has advantages and disadvantages. Mr. Steiner stated that the advantage is that each unit is reviewed on a case-by-case basis and specific conditions can be placed on a particular unit that are unique to that site. Mr. Steiner stated that the disadvantage is that each time someone in the township wants to install a turbine the Board of Zoning Appeals will have to convene to discuss the permit.

Mr. Steiner stated his concern that proposing to limit the number of turbines based on parcel size may open the township up to legal action. Mr. Steiner stated that if the end goal is to prevent a situation where many turbines are placed on a relatively small parcel of land, there are other ways to achieve this besides placing limits on the number of units allowed on a parcel. Mr. Steiner explained that setbacks from property lines and structures as well as clear fall zones can probably achieve the same desired effect.

Mr. Steiner explained that he recommends that the Planning Commission recommend to Troy Township that they approve the amendments as drafted with a few suggestions: the Township consider the increased workload and potential cost associated with each applicant looking to install a turbine providing a report to the zoning inspector prior to issuance of a permit and that the township consider removing the section limiting the number of turbines per acre and let setbacks and clear fall zones regulate the amount of turbines allowed on a parcel.

Mr. Swope made a motion to recommend the Township approve the amendments with suggested tweaks. Mr. Schuerman seconded the motion.

Mr. Bowlus called for a vote.

Mr. Arnold - Yes, Mr. Bowlus - Yes, Mr. Brossia - Absent, Mr. George – Yes

Ms. Herringshaw - Absent, Mr. LaHote - Absent, Mr. Musteric - Absent, Mr. Schaller – Yes , Mr. Schuerman - Yes, Mr. Swope – Yes, Mr. Wineland – Absent.

The motion to recommend approval carried. Vote: 6 yes and 0 no. Motion carried.

**Zoning– Middleton Township**

Mr. Steiner explained that the Middleton Township Zoning Commission has submitted the following as a text amendment to their zoning resolution: “no accessory building shall be permitted in a front yard unless permitted elsewhere in Resolution”.

Mr. Steiner stated that the amendment is simple and self-explanatory and it appears that the Township wants to make sure that no accessory buildings are placed in the front yards of lots.

Mr. Steiner stated that the language is vague. Mr. Steiner stated that there are other mechanisms to make sure that no accessory buildings are placed in the front yards of lots if that is the intent.

Mr. Steiner stated that because of the vagueness of this amendment, the recommendation is to deny the proposed amendment and resubmit a more concise amendment(s) to regulate the placement of accessory buildings.

There was discussion and the Township indicated the intent was to regulate residential properties.

Mr. Arnold made a motion to recommend the Township deny the amendment change. Mr. Schaller seconded the motion.

Mr. Bowlus called for a vote.

Mr. Arnold - Yes, Mr. Bowlus - Yes, Mr. Brossia - Absent, Mr. George – Yes

Ms. Herringshaw - Absent, Mr. LaHote - Absent, Mr. Musteric - Absent, Mr. Schaller – Yes , Mr. Schuerman - Yes, Mr. Swope – Yes, Mr. Wineland – Absent.

The motion to recommend denial carried. Vote: 6 yes and 0 no. Motion carried.

**PUBLIC FORUM**

**CHAIRMAN’S/COMMISSION MEMBERS’ TIME**

**DIRECTOR’S TIME**

**Staff Activities**

Mr. Steiner referred the members to the Staff Activities report.

Mr. Steiner shared that there has been a significant increase in zoning questions.

Mr. Steiner stated what the staff has assisted Middleton and Troy Townships with zoning questions.

Mr. Steiner shared that the staff assisted Washington Township Trustees with Williamsburg on the River zoning and platting questions.

Mr. Steiner stated that the staff researched plating question for Saddlebrook Villas.

Mr. Steiner noted that the CHIP grant is well underway and work continues on it.

Mr. Steiner stated the final plat of the Village at Riverbend Plat 6 was circulated for signatures and released for recording.

Mr. Steiner stated that the preconstruction meeting with B. Hillz Excavating Inc. was held regarding the Village of Bradner Water Tower Project and construction will begin early 2022.

Mr. Steiner explained that the county did the final walk through for the PY18 Village of North Baltimore NRG grant.

Mr. Steiner stated he scheduled a hearing for the floodplain variance board to hear and rule on the placement of a dike in the 100 Year Floodplain of the Maumee River in Perrysburg Township. Case has been ongoing since September of 2019.

Mr. Steiner stated he reviewed and issued two floodplain development permits for structures that were being built on lands within the 100 Year floodplain but on locations outside of the floodplain areas.

Ms. Stanley shared that nine (9) rural addresses were issued from June 29 2021 through July 28, 2021.

Ms. Stanley shared that eight (8) parcel splits and four (4) parcel combinations were processed.

Mr. Steiner noted that there have been multiple zoning classification requests from citizens, title companies and real estate professionals.

**Motion to Adjourn:**

Mr. Schaller made a motion to adjourn the August 10, 2021 Planning Commission meeting. Mr. Scheurman seconded the motion. Commission members responded in full support. The meeting adjourned.