

Zoning and Annexation Committee Meeting Minutes

Council Chambers, John Knisely Centre

March 12, 2018

The Zoning and Annexation Committee meeting was called to order at 6:45 p.m. by the Committee Chair, Cheryl Ramos. Committee members in attendance were Dan Lanzer and alternate Rob Maurer. Also in attendance: Sam Hitchcock (Council President), Kelly Ricklic, and John Zucal (Council members); Mayor Joel B. Day, Council Clerk Julie Courtright, Service Director Ron McAbier, Greg Popham (Safety Director), Marvin Fete (Law Director), Tom Gerber (Treasurer). Several members of the public also attended.

PURPOSE: The agenda item for tonight is to discuss the Wind Energy Facilities (new Chapter 1339) regulations and any other matter to come before the Committee.

The Chair explained that the meeting would be recorded and that all Council members have received the proposed new ordinance chapter 1339 regarding Wind Turbines within the City Limits. She also noted that the Planning Commission had approved Chapter 1339 on 2/13/18. The Chair pointed out the zoning map that was posted and the industrial zoned areas and residential zoned areas.

Mr. Mike Scolati, Zoning & Building Code Administrator, was asked to share about the new chapter and the process. He was the primary researcher for the legislation. Mr. Lanzer asked about the insurance amount required and that it might be prohibitive for industry. Mr. Scolati explained that it would not be prohibitive. The Chair asked about set-backs mentioned in 1339.07 and about sound studies before a turbine was constructed. Mr. Scolati explained that the sound studies were available from the manufacturers and about the set-back requirements. In response to a question, Mr. Fete explained that resident recourses would be through the courts at their own expense if there were effects from the wind turbine to surrounding residents or through the City, if the owner did not respond to complaints or concerns. If the concerns were made known before the wind turbine was built, the Planning Commission would deal with that during the permitting phase. Mayor Day noted that the fall zone is important so wind turbine do not affect residents and to minimize damage if the structure does fall.

Mr. Marineli, resident of Ward One, expressed his opinion in support of wind energy and he didn't want businesses hindered from using alternative energy. The Chair asked Mr. Marineli if he had read Chapter 1339. A copy of the chapter was provided since he had not read the proposed legislation. Mr. Fete explained that the City does not want industry to leave and that variances can be requested through the Planning Commission and the Board of Zoning Appeals that hears variance requests. Sam Waddle, resident of Ward One, also asked about the one turbine per lot regardless of the size of a lot concerned that would be a disincentive to industry to use wind energy. Mr. Scolati explained that any variances could be requested of the Planning Commission.

Action: Mr. Lanzer motioned and Mr. Maurer seconded, that the law director prepare appropriate legislation to add Chapter 1339 for the next Council meeting and that it be placed on the agenda for first reading. All voted in the affirmative; motion passed.

The next item of business was to discuss Resolution 8-2018 with regards to annexing Goshen Township land in and around the Airport and Cemetery. The Chair explained that all Council had also received, via e-mail, the documentation regarding the plots to be annexed. Mr. Zucal asked about a discrepancy the wording of the Mayor's letter to Goshen Township regarding the plots and the wording of Goshen Township's resolution regarding the same. Due to time, the discussion will continue on March 26, 2018 at 7:00 p.m.

Motion to adjourn was made by Mr. Lanzer at 7:30 p.m.

Respectfully submitted,



Mrs. Cheryl L. Ramos

Chairwoman

An audio recording of this meeting is available from the Council Clerk.