

MILLCREEK TOWNSHIP ZONING COMMISSION

REGULAR MEETING MINUTES

DATE & TIME: Thursday, April 21, 2011 @ 7:00 p.m.

LOCATION: Millcreek Township Hall, 10420 Watkins Road, Marysville Ohio 43040

LEGAL NOTICE: The Millcreek Township Zoning Commission will hold a regular business meeting on the third Thursday of each month for 2011. All meetings begin at 7:00 pm and are held at the Millcreek Township hall, located at 10420 Watkins Road, Marysville, OH 43040. The public is invited to attend.

CALL TO ORDER: Meeting called to order by Zoning Commission Chair Joni Orders at 7:00 p.m.

ROLL CALL: Zoning Administrator Joe Clase called the roll of members present.

Zoning Commission Present: Kenny Coakley, Alternate
Jim Lawrenz
Joni Orders, Chair
Greg Wisniewski

Zoning Commission Absent: Freeman Troyer, Vice Chair

Others Present: Joe Clase, *Zoning Administrator*
Keith Conroy, *Trustee*
Bill Jordan, *Trustee*
Bill Lynch, *Trustee*

MINUTES REVIEW & APPROVAL: No prior meeting minutes were reviewed or approved.

CITIZENS' COMMENTS: Bill Lynch stated that a force main is currently being installed in Millcreek Township for the Jerome Village development. It will be installed within the road right-of-way. The Engineer's Office is working with the Township to address resident concerns. It is being bored and not trenched. They will need a few private easements which has caused some concerns. Residents thought they were moving the force main, so the parties involved were invited to discuss the project. Jeremy Hoyt (City of Marysville), Bill Narducci (Union County Engineer's Office), Gary Nuss (Nationwide), Dick Roggenkamp (First Intercontinental Realty) and Thom Ries (Terrain Evolution, Inc.) were present to address the project.

Kenny Coakley inquired how deep the force main would be installed. Bill Narducci stated that it would be 6 to 7 feet deep but would average 4 to 5 feet deep.

Kenny Coakley inquired how it would affect drainage. Gary Nuss stated that they plan to meet with all homeowners along the route to identify field tile and limit the impact. Jeremy Hoyt stated that the force main should be installed much lower than the field tile and because it wasn't being trenched, the impact should be small. Bill Narducci stated that this will occur over the course of five (5) months, but the developer will be around for a much longer time period, so issues can be addressed later. There will be a one (1) year commitment from the developer to respond to issues caused by the force main project. Jeremy Hoyt stated that the city will maintain the force main after it is installed.

Thom Ries stated that this should serve seventy-five percent (75%) of Jerome Village but that it will need to be expanded in the future. Greg Wisniewski inquired about the timeframe for the second phase. Gary Nuss stated that it will be more than ten (10) years before future improvements are needed.

Greg Wisniewski inquired what the timeline was to meet with neighbors on this project. Gary Nuss stated that this would occur in the next month. Jim Lawrenz inquired if there is a fixed location that the force main was to be installed. Gary Nuss stated that front yards would be mapped out and they would layout the boar bits prior to installation. Jim Lawrenz inquired about what the right-of-way width was. Bill Narducci stated that typically right-of-way was fifty to sixty feet (50'-60') wide, but some may only be forty feet (40') wide.

Greg Wisniewski inquired if soil settlement would be addressed past one (1) year. Jeremy Hoyt stated that the developer would address the issue the first year and then the city would take care of such issues. Most settlement should occur within the first year. Gary Nuss stated that boring should limit settlement. Jeremy Hoyt stated that they will document and video all sites prior to make sure any issues can be easily resolved. Kenny Coakley inquired about the footprint needed for boring. Thom Ries stated that it shouldn't take more than 15 feet.

Jim Lawrenz inquired about the footprint required for the booster station. Thom Ries stated that there will only be two locations for such a station. Gary Nuss stated that they are yet to identify the locations, but that they will likely purchase the property where these are to be located. Bill Lynch inquired how they would hide the blue tanks. Gary Nuss stated that they would screen them with a wood fence. Jim Lawrenz inquired what they would be dosing with. Bill Narducci stated that they would use dioxide. Gary Nuss stated that flow would be gravity fed until it reaches the tank. Jim Lawrenz inquired if they would be 1,000 gallon tanks. Thom Ries confirmed that should be adequate. Greg Wisniewski inquired about the frequency of the dosing. Jeremy Hoyt stated that it should be every two (2) to three (3) months. If there aren't enough stations, the treatment plant may see corrosion. The second station may be located at the plant.

Keith Conroy inquired about the construction time schedule. Gary Nuss stated that they should have more details at the preconstruction meeting which should be in June. Bill Lynch inquired about where they would be staging materials. Gary Nuss stated that they would stage on the south of wells on Nationwide property. Bill Lynch inquired if they would bring in pipe just as they need it. Gary Nuss confirmed they would and stated that they cannot stage too much. Keith Conroy asked that they let the Township know when the twelve (12) month warranty begins and ends. Bill Narducci stated this would depend on the rate of construction. Gary Nuss stated that they are guessing that they can lay six (6) miles of pipe in five (5) months. This is based on ten (10) hour work days, Monday through Friday. Jeremy Hoyt stated this would be weather dependent. Gary Nuss stated that they can work in rain. Jeremy Hoyt stated they will need a city inspector on-site when they are completing work.

Keith Conroy inquired if they would do pressure tests. Jeremy Hoyt stated they would. Greg Wisniewski inquired how many directions they would bore. Gary Nuss stated one. Bill Lynch inquired how long after they bore would they fill. Gary Nuss stated that holes would be filled as soon as possible for precaution. Bill Lynch shared concern that open pits would be a safety issue and water would likely backfill into them. Keith Conroy inquired who could answer resident questions about the route. Bill Narducci stated that they could call him. Bill Lynch inquired if a piece of literature could be pulled

together and mailed to residents. Bill Narducci stated that it could. Kenny Coakley stated that it should also be posted at the Township Hall. Jim Lawrenz inquired if the Zoning Commission is being asked to take action on anything. Bill Lynch stated that this was just a chance to ask questions. Public concern started with the fact open trenches could kill trees and settle in front yards. Bill Lynch stated that he has been pleased with the planning associated with the project and they have continued to cooperate with residents and the Township. Kenny Coakley inquired what type of line was to be used. Jeremy Hoyt stated that it would be high density polypropylene line and the ends would be heated for them to stick together.

Joni recessed the meeting at 7:30 p.m. and reconvened at 7:40 p.m.

Joni Orders introduced Jenny Snapp with LUC Regional Planning who was present to talk about wind turbine model regulations. Jenny Snapp passed out a number of model ordinances that were implemented in other area townships. LUC first look at wind regulations in 2005 when a company was looking to build a utility farm in Logan County. At that time they implemented zoning for utility sized turbines. Since then, the State of Ohio has modified their standards to regulate standards for turbines over five (5) megawatts (MWs). Such structures would be regulated by the State of Ohio and smaller units may be regulated by local governments. LUC has focused their attention on units smaller than 5MWs, due to the state law. Champaign County is currently seeing proposals for 2MW systems. Local governments can regulate maximum height. Grants are starting to make requests for wind turbines more popular.

Jim Lawrenz inquired why large turbines are considered public utilities. Jenny Snapp stated that they were originally ruled not a utility by the Logan County Prosecutor but that they have not gotten an opinion from Union County's Prosecutor. Right now they are subject to the Public Utilities Commission of Ohio (PUCO) and not subject to local regulation. Jim Lawrenz stated that it doesn't appear we have the ability to regulate large turbines. Jenny Snapp confirmed that is the case; however, the PUCO attempts to include local jurisdictions in their review. More information about this process can be found on the Ohio Power Citing Board's website.

Greg Wisniewski inquired about the turbine on I-270. Jenny Snapp stated that it is roughly 140 feet tall and not larger than 5MW. Alan Langhirt (resident) inquired about the life of the units. Jenny Snapp stated she is experienced in the manufacturing standards. Keith Conroy stated there is a large manufacturer in Canton that may have more information.

Jenny Snapp stated that there is some model language from Wood County. Zoning Commission needs to determine what districts that turbines would be appropriate within. Setbacks and height should also be addressed. Jim Lawrenz inquired if you could change setbacks in different districts. Jenny Snapp stated that setbacks could vary, but stated that administration would be easier with one standard. Keith inquired about a standard fall zone. Jenny Snapp stated that you may not be able to fit one on the property with setback restrictions. Setbacks may be from property lines, road right-of-way, inhabited structures, overhead utilities, etc. Noise is an issue that needs attention. She included average noise volumes for tractors and other items. Installers will also get a building permit. The industry is always changing. Roof top units are becoming popular. Ace Hardware is beginning to sell them. LUC has started drafting model language regarding these units. Vertical units are becoming more popular. Keith Conroy stated that Chicago is installing them in place of light posts. Jim Lawrenz asked if there was radio

interference caused by the turbines. Jenny Snapp stated she was not aware of any. Keith Conroy inquired about impact on bats. Jenny Snapp stated it may be a problem but it hasn't been an issue they have addressed. Keith Conroy inquired about the shadowing effect on area houses. Jenny Snapp stated that they have not addressed this issue.

Jenny Snapp stated that there are many different models and the value judgments need addressed locally prior to legislating standards. There is no cookie cutter language. All regulations need adapted. Jim Lawrenz inquired about ice throw. Jenny Snapp stated that one side says it is an issue and others don't think so. Setbacks could address the issue. Jim Lawrenz stated that a 125 foot height limitation would limit larger turbines. Jenny Snapp stated that zoning can always change if you requests don't match your regulations. Jim Lawrenz inquired about the height of cell towers. Bill Jordan stated 120 to 200 feet. Kenny Coakley inquired about the MW level that would fit on a 125 tower. Jenny Snapp stated that one 10 KW turbine was installed on a 100 foot tower. Jim Lawrenz stated that his windmill has an 11 foot radius. Joni Orders inquired how many had actually created forms. Jenny Snapp stated that they likely just used the same permit form, but it would be advisable to create a separate form and fee. Bill Jordan stated that agricultural grants are becoming popular. Jenny Snapp confirmed that many grants are substantially lessening the cost of turbines. Bill Jordan stated that one in Scioto Township was purchased with an agricultural grant. Joni Orders inquired if Millcreek Township was a candidate for wind since land is generally flat. Jenny Snapp stated that personal economics may surpass the actual physics of wind turbine effectiveness. Joni Orders inquired if personal runways would be affected. Keith Conroy stated that they would need to notify airport according to FAA rules. Kenny Coakley inquired about what relevant language is in the Union County Building Regulations. Jenny Snapp stated that they do electrical inspections.

Joni Orders stated that she would like for the Zoning Commission to further discuss the topic next month. Jim Lawrenz stated that residential areas appear to be where most regulatory concern would lie. Units wouldn't likely be obtrusive in more rural areas. Keith Conroy stated that the decibel rate in sound instances is measured as an increase from existing rates and in others it is an overall decibel. Jim Lawrenz inquired if we should by a unit to measure noise levels. Jenny Snapp stated that most jurisdictions just rely on the manufacturer's specifications versus enforcing actual decibels. Jim Lawrenz inquired if the county or township has a noise ordinance. Joe Clase stated that they do not. Greg Wisniewski stated that horizontal turbines generate more noise and less energy, but they are more fitting on flat roofed homes. Jenny Snapp stated that height above roofline should be looked at as well as footprint of such units. Jim Lawrenz stated more blades produce less vibration. Greg Wisniewski stated that cost of units is more productive for commercial versus residential applications. Joni Orders thanked Jenny Snapp for her presentation.

TRUSTEES' COMMENTS: Bill Jordan stated the siblings at the Hunt Club may want to develop the land.

ZONING ADMINISTRATOR REPORT / COMMENTS: Joe Clase discussed his activities in March 2011. The Commission requested discussing park and open space improvements at the next meeting. They also stated that looking at the environmental checklist would be good. Joni Orders stated that she believed she had a copy of Dublin's standards that she could bring to the next meeting.

OLD BUSINESS: Joe Clase stated that the survey has been advertised by post card to over 500 homes and there have been just over 60 have filled out the survey.

NEW BUSINESS: Joni Orders and Joe Clase stated that they had met with Steve Wolfe who owns land across from the Township Hall. He is interested in having some commercial use of his property and was looking for guidance on what district may be appropriate for a rezoning. Joni Orders stated that she reviewed the 2005 plan focus as guidance. Jim Lawrenz stated that the B-2 is out of character with the area. Bill Jordan acknowledged that there are three (3) other B-2 properties on Bellepoint Road. Joe Clase inquired if the PCD may be appropriate if a larger ten (10) acre district could be established. Joni Orders stated that the comprehensive plan is pretty ambiguous. Joe Clase stated that he could look into laying out a hypothetical PCD in the area if the Commission is interested in looking at it. The Commission stated that such a concept drawing would help the conversation.

NEXT MONTHLY MEETING: Joni Orders announced the next regular meeting will be May 19, 2011 at 7:00 p.m. at the Township Hall. She stated that she will not be able to attend.

ADJOURNMENT: Kenny Coakley made a motion to adjourn the regular meeting. Jim Lawrenz seconded the motion. All voted in favor of the motion and the motion carried. Joni Orders announced the meeting to be adjourned at 8:55 p.m.

PREPARED BY:



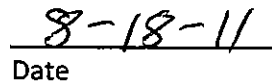
Joe Clase, Zoning Administrator

ATTEST:



Freeman Hoyer - Vice Chair
Joni Orders, Zoning Commission Chair

APPROVED:



Date