



# Logan-Union-Champaign regional planning commission

Director: Jenny R. Snapp

## Executive Committee Meeting Agenda Thursday, June 10, 2010 - 1:15 p.m.

**Call to Order** – Robert A. Yoder, President

**Roll Call** - Jenny Snapp, Director

**Action on Minutes of May 13, 2010** – Executive Committee

**Financial Report** – Max Coates, Treasurer

### **ODOT Reports**

### **New Business:**

1. MORPC Regional Plan, Shaping our Future – Nancy Reger
2. Review of Jerome Village GPN-7 Final Plat, Jerome Township, Union County – Staff Report by Jenny Snapp
3. Review of Jerome Village GPN-2 Preliminary Plat, Jerome Township, Union County – Staff Report by Jenny Snapp
4. Review of Jefferson Township (Logan County) Zoning Text Amendments including language for group care facilities – Staff Report by Wes Dodds
5. Review of Paris Township (Union County) Zoning Text Amendments regarding Wind Turbines greater than 25KW and less then 5MW – Staff Report by Wes Dodds
6. Review of Allen Township (Union County) Zoning Text Amendments regarding Small Wind Farms - Staff Report by Wes Dodds

**Director's Report** – Jenny Snapp, Director

### **Comments from Individuals**

### **Adjourn**

**Reminder - The  
Zoning & Sub  
Committee will be  
meeting on Tuesday,  
June 8 at 1:30 pm**

# 2010 Budget Summary

As of 6/7/2010

## 10-800 REVENUES:

	Estimated	To Date	CashBalance
1 Per Capita Assessments	\$ 172,782.00	\$ 183,325.35	\$ (10,543.35)
2 Estimated Interest	\$ 4,900.00	\$ 1,741.41	\$ 3,158.59
3 Estimated Other	\$ 45,000.00	\$ 670.64	\$ 44,329.36
4 Services and Projects	\$ 67,192.00	\$ 33,467.71	
Estimated Total Revenue	\$ 289,874.00	\$ 219,205.11	\$ 70,668.89

## 10-100 EXPENDITURES:

	Estimated	To Date	
1020 Salaries & Wages	\$ 189,544.00	\$ 69,466.25	\$ 120,077.75
1030 Supplies	\$ 3,000.00	\$ 2,701.59	\$ 298.41
1040 Equipment	\$ 1,500.00	\$ -	\$ 1,500.00
1050 Utilities	\$ 11,392.00	\$ 4,960.06	\$ 6,431.94
1060 Travel	\$ 7,000.00	\$ 3,035.72	\$ 3,964.28
1070 Professional Development	\$ 2,000.00	\$ 405.00	\$ 1,595.00
1090 Other Expenses	\$ 6,000.00	\$ 3,163.89	\$ 2,836.11
1091 PERS	\$ 26,537.00	\$ 9,746.36	\$ 16,790.64
1092 Workers Compensation	\$ 5,687.00	\$ 1,513.53	\$ 4,173.47
1093 Medicare	\$ 2,749.00	\$ 993.69	\$ 1,755.31
1094 Hospital / Life Insurance	\$ 26,567.00	\$ 4,854.38	\$ 21,712.62
1100 Contingencies	\$ 2,000.00	\$ 1,527.11	\$ 472.89
1300 Building Fund	\$ 5,000.00	\$ 440.68	\$ 4,559.32
Estimated Total Expenditures	\$ 288,976.00	\$ 102,808.26	\$ 186,167.74

## STATEMENT:

Cash Balance January 1, 2010	\$ 134,287.65
Estimated Total Revenue	\$ 289,874.00
Estimated Total Expenditures	\$ 288,976.00
Difference	\$ 898.00
Estimated Cash Balance December 31, 2010	\$ 135,185.65

# LUC Regional Planning Commission Treasurer's Report

**BEGINNING BALANCE ON May 1, 2010** **\$ 259,988.59**

**RECEIPTS**

Village of Russells Point	2010 Annual Assessment	\$	987.35
Village of Mechanicsburg	2010 Annual Assessment	\$	1,101.35
Union County	Reimbursement K. Hanigosky Unemployment	\$	500.00
Jerome Village Corp	GPN-2 Preliminary Plat Fee	\$	5,150.00
Jerome Village Corp	GPN-7 Final Plat Tabling Fee	\$	200.00
Staples	Rebate	\$	12.00
Staples	Rebate	\$	3.00

**TOTAL RECEIPTS** **\$ 7,953.70**

**TOTAL CASH ON HAND** **\$ 267,942.29**

**EXPENDITURES**

Employee Salaries	2 Pay Periods	\$	10,328.00
OPERS	April 2010 Employer Share	\$	2,168.88
Medicare	2 Pay Periods	\$	147.22
CEBCO	Health Insurance	\$	895.87
Anthem Life	Life Insurance	\$	7.20
Staples	Office Supplies	\$	177.01
Key Blue Prints, Inc	Supplies for Plotter	\$	189.00
CenturyLink	Phone Service	\$	11.89
Verizon Wireless	Cell Phone Acct	\$	138.63
DP&L	Electric Bill	\$	420.00
Time Warner Cable	Phone & Internet Service	\$	308.69
Verizon Wireless	Cell Phone Acct	\$	138.63
Jenny Snapp	Travel/Mileage - April 2010	\$	235.00
Weston Dodds	Travel/Mileage - April 2010	\$	322.00
Heather Martin	Travel/Mileage - April 2010	\$	91.12
Logan SWCD	Jenny Snapp - Ag Tour	\$	125.00
Logan SWCD	Wes Dodds - Ag Tour	\$	125.00
Stepping Stones Outreach	Champaign County CoC Breakfast	\$	75.00
Logan County Commissioners	CORSA Premium	\$	1,027.11

**\$ 16,931.25**

**Bldg.**

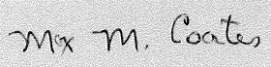
Lowe's Company	Building Supplies (Lawn Mower)	\$	294.54
Hague Quality Water	Water Softener Salt	\$	32.00

**\$ 326.54**

**TOTAL EXPENDITURES** **\$ 17,257.79**

**BALANCE ON HAND AS OF May 31, 2010** **\$ 250,684.50**

Respectfully Submitted,



Max M. Coates, Treasurer

## **LUC MEETING**

### **June 10, 2010**

#### **☐Active Construction Projects**

**ODOT Project 100080**

**UNI-SR347-0.00, PID Number 78307**

**Description:** Two lane resurfacing.

**Location:** UNI-SR347: Liberty Township. Logan County to SR739 right.

UNI-SR37/739: Washington/Jackson Townships. SR31 right to Marion County.

**Maintenance of Traffic:** Traffic maintained.

**Completion Date:** 08/31/2010

**Contractor:** Kokosing Construction Company

**Amount:** \$2,786,713.50

**Project Status:** Construction started 04/06/2010.

#### **☐Projects Awarded During Month of May**

**ODOT Project 100307**

**UNI-SR161-0.63, PID Number 78307**

**Description:** Two lane resurfacing.

**Location:** UNI-SR161: Union Township. SR4 Left to SR38 Right

UNI-SR38: Union, Darby Townships. SR161 Left to SR161 Right (Overlap Portion)

UNI-SR161: Darby, Jerome Townships, Plain City. SR38 Left to US42

**Maintenance of Traffic:** Traffic maintained.

**Completion Date:** 09/30/2010

**Contractor:** Shelly Company

**Amount:** \$1,180,011

**Project Status:** Project awarded 05/27/2010.

#### **☐Upcoming Projects Scheduled for Sale Through Month of June**

No projects scheduled for sale through June.

#### **☐Work by ODOT Maintenance Forces During Month of June**

Guardrail repair – Various locations as needed

Berming – Various locations as needed

Catch Basin Repair – Various locations as needed

Drainage Repair – Various locations as needed

#### **☐ALL PROJECT INFORMATION CURRENT AS OF June 9, 2010.**

# CHP/LOG County Projects

08/15/08 thru 09/30/10

06/08/10 Updated						
PID	COUNTY ROUTE SECTION	PRIMARY WORK CATEGORY	DESCRIPTION	AWARD DATE CURRENT	AWARD DATE ACTUAL	
85712	CHP Purchase 1 MMV	Innovative Transit & Light Rail Projects	Purchase 1 modified minivan for the Champaign County Commissioners	09/01/09		
85713	CHP Purchase 1 power washer	Innovative Transit & Light Rail Projects	Purchase 1 power washer for the Champaign County Commissioners	09/30/09		
77397	CHP SR 55 15.32	Minor Rehabilitation - Pavement Gnlr Sys	SHOULDER STABILIZATION AND RESURFACING OF THE EXISTING ROADWAY WITH ASPHALT CONCRETE. Urban Paving Program.	04/22/10	04/22/10	
82780	CHP SR 559 6.91	Bridge Replacement	Replace a 62-foot structure over Proctor Run with minimal approach work. 3 spans. Originally programmed under PID #19708, CHP-559-1.65; PE remains under PID #19708 -- CO split out under a new PID #82780, CHP-559-6.91.	05/06/10	05/06/10	
85759	LOG 2 converted vans	Innovative Transit & Light Rail Projects	Purchase 2 converted vans for Logan County, Tri-County CAC	09/01/09		
85758	LOG 4 MMVs	Innovative Transit & Light Rail Projects	Purchase 4 modified minivans for Logan County CAC. Revised project description to reflect deleted PID#85759 for 2 CVs	09/01/09		
85757	LOG Computers and sched software	Innovative Transit & Light Rail Projects	Purchase 5 computers and scheduling/dispatching software	03/31/10		
85902	LOG Facility purchase	Innovative Transit & Light Rail Projects	Facility purchase for the Tri-County Community Action Commission	05/20/09		
85755	LOG Garage equipment	Innovative Transit & Light Rail Projects	Purchase garage equipment for Logan County, Tri-County CAC: tool set, tool storage base & cabinet, two post hydraulic lift, battery charger/analyzer, and pneumatic wrench set	05/20/09		
86060	LOG Rehab/Renovation	Innovative Transit & Light Rail Projects	Rehabilitation/renovation - to include demolition, renovations (plumbing, HVAC, green items and lighting systems) & bus wash building for Logan County, Tri-County CAC	08/25/09		
19988	LOG SR 235 2.22	Bridge Replacement	REPLACE BEAMS, DECK, SUBSTRUCTURE AND WIDEN STRUCTURE OVER GREAT MIAMI RIVER. MINIMAL APPROACH WORK REQUIRED. 3 SPANS, MAX. SPAN = 85FT. PROGRAMMATIC SELECTION 08/13/04.	03/18/10	03/18/10	
80887	LOG SR 47 20.12	Minor Rehabilitation - Pavement Gnlr Sys	Pavement Planing and Resurfacing of the existing roadway with Asphalt Concrete.	06/10/10		
80880	LOG SR 47 5.23	Minor Rehabilitation - Pavement Gnlr Sys	Pavement Planing and Resurfacing of the existing roadway with Asphalt Concrete. Part 1 includes SR 47 and SR 292. Part 2 includes SR 287. PID 80880 and PID 77502 were merged together. Funding is on PID 80880.	04/22/10	04/22/10	
75472	LOG US 68 5.92	Major Reconstruction	RECONSTRUCTION OF US68, WIDEN/ADD LANES, CURB AND GUTTER, DRAINAGE, FULL DEPTH ASPHALT CONCRETE PAVEMENT. (Safety, Small Cities, and Urban Paving Program funds will all be included in this project.) Designer (PE Detail Design) for the City of Bellefontain	04/01/10	04/01/10	



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## STAFF REPORT

FOR CONSIDERATION BY LUC REGIONAL PLANNING COMMISSION EXECUTIVE  
COMMITTEE  
June 10, 2010

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### JEROME VILLAGE GPN-7 FINAL PLAT

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- APPLICANT:** Jerome Village Company, LLC  
Randy Loebig  
720 East Broad Street, Suite 200  
Columbus, OH 43215
- REQUEST:** Approval of the Jerome Village GPN-7 (Glacier Park Neighborhood) Final Plat. This Final Plat was tabled on February 11, 2010 at the request of the developer.
- LOCATION:** Located on Brock Road just west of the Hyland-Croy and Brock Road intersection in Jerome Township, Union County.
- STAFF ANALYSIS:** This final plat is for the Glacier Park Neighborhood (GPN) Section 7, Phase I of the Jerome Village Development. GPN-7, Phase 1 is proposed to have a total of 24.737 Acres and 44 lots. This section will contain 11.251 acres of open space. The proposed method of supplying water service is through the City of Marysville Public Water System, and the proposed method of sanitary waste disposal is through the Jerome Village collection system and Marysville Wastewater Treatment.
- The preliminary plat for GPN-7 was approved by the LUC Executive Committee in June, 2009. GPN-7 in its entirety will contain 58.603 Acres and 130 lots.
- The GPN – 7 Final Plat was tabled on February 11, 2010 at the request of the developer due to outstanding items including, but not limited to, bonding for public improvements and the Utility Service Agreement.



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- **Union County Engineer's Office**
  - Per the attached review letter dated June 4, 2010, the Union County Engineer's Office recommends a conditional approval of the plat with the following items which will need to be resolved:
    1. The Developer's Agreement must be finalized and executed.
    2. All signatures and sign-offs must be completed on the Utility Service Agreement.
    3. The Ditch Maintenance Petition must be finalized and executed.
    4. Per Union County Subdivision Regulations Section 326, the performance bond, certified check or letter of credit must be submitted to the County for the amount of estimated construction cost of improvements (or installation of required improvements).
- **Union County Soil & Water Conservation District**
  - Comments included in the Union County Engineer's Office Review.
- **Union County Health Department**
  - In the attached letter dated May 24, 2010, the Union County Health Department addressed concerns regarding the expansion of sewer and water that pass by or near existing homes. According to the Union County Health Department, passage of Senate Bill 110 and companion House Bill 141 will require existing homes to connect to sewer if it comes within 300 feet of the foundation of a home. The Health Department questions if provisions are being made to connect these existing homes to central sewer.
- **City of Marysville**
  - As of June 4, 2010, no comments from the City of Marysville.
- **Jerome Township**
  - As of June 4, 2010, no comments from Jerome Township.
- **ODOT District 6**
  - As of June 4, 2010, no comments from ODOT District 6.

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## STAFF RECOMMENDATIONS:

- As of June 4, 2010, staff recommends tabling or disapproval of the Jerome Village GPN – 7 Final Plat. There are 4 outstanding items that have yet to be completed:
  1. The Developer's Agreement must be finalized and executed.
  2. All signatures and sign-offs must be completed on the Utility Service Agreement.
  3. The Ditch Maintenance Petition must be finalized and executed.
  4. Per Union County Subdivision Regulations Section 326, the performance bond, certified check or letter of credit must be submitted to the County for the amount of estimated construction cost of improvements (or installation of required improvements).

Staff feels that the remaining signatures on the Utility Service Agreement are minor and could qualify for the conditional approval. However, the developer has had since February 11 to complete the remaining three items: Performance Bond, Developer's Agreement, and Ditch Maintenance Petition. These items were the review letter sent to the developer. An email was sent to Jerome Village on June 4 asking if these items would be addressed prior to our June 8 Zoning & Subdivision Committee Meeting. Staff feels that every effort should be made to complete these items before the Tuesday, June 8 Zoning & Subdivision Committee Meeting. If these items are not completed or significantly completed, staff recommends that GPN – 7 be re-tabled or disapproved.

**Update:** Thom Ries of Terrain Evolution called on June 4 at 3:00 PM to update on the outstanding issues.

1. The Developer's Agreement must be finalized and executed. **Status: The Developer's Agreement is in its final stages and has been forwarded on for signatures.**
2. All signatures and sign-offs must be completed on the Utility Service Agreement.
3. The Ditch Maintenance Petition must be finalized and executed. **Status: Final tweaks are being**

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**made to the Ditch Maintenance Petition, and it should be completed on Monday.**

4. Per Union County Subdivision Regulations Section 326, the performance bond, certified check or letter of credit must be submitted to the County for the amount of estimated construction cost of improvements (or installation of required improvements). **Status: The performance bond could take 2 weeks to be developed as the contract (or) has just been awarded. Further clarification on this item is needed at Tuesday's Meeting.**

## **ZONING & SUBDIVISION COMMITTEE RECOMMENDATIONS:**

- The Zoning & Subdivision Committee recommended tabling of the Jerome Village GPN – 7 Phase 1 Final Plat at the request of the developer/applicant, Randy Loebig. Further, the Committee recommended that outstanding items must be addressed prior to plat re-submittal.

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## STAFF REPORT

FOR CONSIDERATION BY LUC REGIONAL PLANNING COMMISSION EXECUTIVE  
COMMITTEE  
June 10, 2010

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### JEROME VILLAGE GPN-2 PRELIMINARY PLAT

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**APPLICANT:** Jerome Village Company, LLC  
Randy Loebig  
720 East Broad Street, Suite 200  
Columbus, OH 43215

**REQUEST:** Approval of the Jerome Village GPN-2 (Glacier Park Neighborhood)  
Preliminary Plat.

**LOCATION:** Located on Wells Road just west of the Jerome Road in Jerome Township,  
Union County.

**STAFF ANALYSIS:** This Preliminary plat is for the Glacier Park Neighborhood (GPN) Section 2  
of the Jerome Village Development. GPN-2 is proposed to have a total of  
47.701 Acres and 95 lots. This section will contain 15.124 Acres of open  
space and a proposed gross density of 1.951 Single Family Units per Acre.  
The proposed method of supplying water service is through the City of  
Marysville Public Water System, and the proposed method of sanitary  
waste disposal is through the Jerome Village collection system and  
Marysville Wastewater Treatment.



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- **Union County Engineer's Office**
  - See Union County Engineer's Office Review Letter dated June 4, 2010. The Union County Engineer's Office recommends approval with modifications. All items addressed in their review should be incorporated in the Final Construction Drawings and Final Plat.
- **Union County Soil & Water Conservation District**
  - Comments included in the Union County Engineer's Office Review.
- **Union County Health Department**
  - In the attached letter dated May 24, 2010, the Union County Health Department addressed concerns regarding the expansion of sewer and water that pass by or near existing homes. According to the Union County Health Department, passage of Senate Bill 110 and companion House Bill 141 will require existing homes to connect to sewer if it comes within 300 feet of the foundation of a home. The Health Department questions if provisions are being made to connect these existing homes to central sewer.
  - Because GPN – 2 is in the early stages of design, it is too early to determine the proximity of sewer lines to existing homes. However, every effort should be made to ensure compliance with SB 110/HB 141 in the further stages of this development.
- **City of Marysville**
  - See City of Marysville's Review Letter dated June 4, 2010 with comments for incorporation.
- **Jerome Township**
  - As of June 4, 2010, no comments from Jerome Township.
- **ODOT District 6**
  - As of June 4, 2010, no comments from ODOT District 6.
- **LUC Regional Planning Commission**
  - All residential streets shall meet the 60' Right-of-Way per **Section 406** of the *Union County Subdivision Regulations*. Confirmation of variance approval is needed given the review by the Union County Engineer's Office dated June 4, 2010.
  - Confirmation on the approval of the amendments to the original PUD zoning needs to be forwarded to LUC prior to Final Plat Approval.

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## **STAFF RECOMMENDATIONS:**

- Staff recommends approval of the Jerome Village GPN – 2 Preliminary Plat subject to comments by all reviewing agencies. Further, all comments from the reviewing agencies must be incorporated into the Construction Drawings and Final Plat.
- The developer should ensure that prior to Final Plat submittal all requirements and items outlined in the Union County Subdivision Regulations are incorporated in the Final Plat *prior* to submittal.

## **ZONING & SUBDIVISION COMMITTEE RECOMMENDATIONS:**

- The Zoning & Subdivision Committee recommended approval of Jerome Village GPN – 2 Preliminary Plat subject to comments by all reviewing agencies which must be incorporated into the Construction Drawings and Final Plat. Further, the Committee recommended that the developer/applicant should ensure that prior to the Final Plat submittal, all requirements and items outlined in the Union County Subdivision Regulations are incorporated in the Final Plat prior to plat submittal.



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## STAFF REPORT

FOR CONSIDERATION BY LUC REGIONAL PLANNING COMMISSION EXECUTIVE  
COMMITTEE  
June 10<sup>th</sup>, 2010

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### JEFFERSON TOWNSHIP ZONING AMENDMENT – VARIOUS TEXT AMENDMENTS

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- APPLICANT:** Jefferson Township Zoning Commission
- REQUEST:** Approval of various amendments to the Jefferson Township Zoning Resolution.
- BACKGROUND:** Jefferson Township originally submitted this language to LUC for review in October of 2009, at which time both the Zoning & Subdivision Committee and the Executive Committee recommended approval of the proposed text amendments. The Jefferson Township Zoning Commission recommended approval of the proposed text amendments to the Township Trustees. However, the Township Trustees failed to act on the amendments within the time constraints outlined in Ohio Revised Code 519.12. During this time, it also came to the attention of the Township that the Logan County Prosecutor had reservations about this language as well. Due to these circumstances, LUC staff feels that reviewing the language again is appropriate, so that we can make a recommendation that is consistent with what the township's legal authority feels is appropriate. This language has been to the Logan County Prosecutor's Office for review, and those comments received are incorporated into the staff analysis below.

**STAFF ANALYSIS:**

- **DEFINITIONS**
  - ✓ *Bed and Breakfast* – OK
  - ✓ *Boarding and Lodging House* – OK
  - ✓ *Family Care Home* – The Prosecutor questions whether or not the zoning inspector is the appropriate person to make the determination that "...attributable to



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*mental retardation, cerebral palsy, epilepsy, autism or any other condition found to be closely related to mental retardation because such condition results in similar impairment of general intellectual functioning or adaptive behavior or requires similar treatment and services."*

- ✓ *Foster Home* - OK
- ✓ *Group Care Home* – See comment from Prosecutor regarding *Family Care Homes* above.
- ✓ *Home for Adjustment* – OK
- ✓ *Institution* – OK
- ✓ *Solid Wastes* – OK
- ✓ *Tourist Home* – OK
  
- ***Section 568 Expiration of Conditional Use Permit***
  - ✓ The prosecutor questions whether an individual buying a property based on the conditional use allowed there, then has a right to that same conditional use?
  
- ***Section 1070 Bed & Breakfast***
  - ✓ #9 – The prosecutor feels that a blanket statement that "... *The Board of Zoning Appeals may extend or deny the conditional use*", is too vague. The Prosecutor feels that the township should put in place specific reasons why a conditional use permit can be revoked.
  
- ***Section 1071 Boarding or Lodging House***
  - ✓ #9 – See comments from *Section 1070 Bed & Breakfast* above.
  
- ***Section 1072 Family Care Home***
  - ✓ #6 - The sub points should be renumbered.
  - ✓ 12 – See comments from *Sections 1070 & 1071* above.
  
- ***Section 1073 Group Care Home***
  - ✓ #6(c) - Correct the spelling of "Licensing".
  - ✓ #11 - The sub points should be renumbered to start with the letter "a"
  - ✓ #12 - See comments from *Sections 1070 & 1071* above.
  
- ***Section 1074 Home for Adjustment***
  - ✓ #12 - See comments from *Sections 1070 & 1071* above.
  
- ***Section 1075 Institution***
  - ✓ First word should be changed from "A" to "An"
  - ✓ #12- See comments from *Sections 1070 & 1071* above.

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- *Section 1076 Tourist Home*
  - ✓ #8- See comments from *Sections 1070 & 1071 above*.
- *Parking Requirements*
  - ✓ OK

## STAFF RECOMMENDATIONS:

Recommend **APPROVAL** of the amendments to Jefferson Township Zoning Resolution based on the LUC Staff Analysis and the incorporation of comments above.

## ZONING & SUBDIVISION COMMITTEE RECOMMENDATIONS:

- The Zoning and Subdivision Committee recommended **APPROVAL** of the proposed zoning text amendments with the incorporation of staff comments, and the following additional comments from the Committee:
  - In the text regarding the different types of residential care facilities, bed and breakfast, tourist homes, etc., Jefferson Township should clarify if they are requiring an annual review of the conditional use permit or just a one time review of the permit at the end of the first year of operation.
  - After the Jefferson Township Zoning Commission has made final changes to the proposed language, the committee recommends that they forward it to the Logan County Prosecutor's Office for a final review.

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## STAFF REPORT

FOR CONSIDERATION BY LUC REGIONAL PLANNING COMMISSION EXECUTIVE  
COMMITTEE  
June 10, 2010

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### PARIS TOWNSHIP TEXT AMENDMENTS – *INTERMEDIATE WIND PROJECTS*

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APPLICANT: Paris Township Zoning Commission

REQUEST:

- Review of Zoning Text Amendments to the *Paris Township Zoning Resolution* regarding "*Intermediate Wind Projects*".

PROPOSED AMENDMENT:

- This Zoning Text Amendment encompasses the following:
  - ✓ Article 1500 – Intermediate Wind Project Regulation

STAFF ANALYSIS (W. Dodds):

- Paris Township has adopted zoning language for small wind projects less than 25 kilowatts in size, and less than 140 feet tall. The Paris Township Zoning Commission is proposing this language to cover wind projects greater than 25 kilowatts, but less than 5 megawatts in size, and up to 200 feet tall.
- **Sections 1502 -1504** - These sections mirror what is contained in the Small Wind Energy Project Regulations that Paris Township has adopted.
- **Section 1505 – "Definitions"**
  - ✓ "*Intermediate wind energy project*" – Staff questions why the township chose 200 feet as the cutoff height for intermediate wind projects? The township allows towers up to 140 feet under the small wind energy project regulations. This regulation only allows for 60 additional feet.
  - ✓ Recommend that the township add the following definitions to this section:
    - **Cowling:** A streamlined removable cover that encloses the turbine's nacelle.
    - **Decibel:** A unit of relative loudness equal to ten times the common logarithm of the ratio of two



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readings. For sound, the decibel scale runs from zero for the least perceptible sound to 130 for sound that causes pain.

- **Nacelle:** Sits atop the tower and contains the essential mechanical components of the turbine to which the rotor is attached.

- **Section 1506 (1)(e) - "Setbacks"**

- ✓ Staff questions how the township determined that intermediate wind towers should be setback minimum of 2,640 feet (1/2 Mile) from any inhabited structure? This language for intermediate towers only allows for a tower to be 60 feet taller than the regulations for small wind energy projects, and does not allow for an intermediate wind project to generate more noise than a small wind energy project does. This regulation also does not increase the other setback requirements of intermediate wind energy projects from those of small wind energy projects. Given this information, staff feels that requiring this setback is excessive, and recommends that it be struck from the language.
- ✓ If the township wishes to establish a separate setback for inhabited structures, staff feels that it should remain consistent with the setback distance previously established in this section of 1.1 times the total height of the turbine.

- **Section 1506 (2) - "Noise"**

- ✓ Staff feels that this section will be too cumbersome for the township to enforce. In order to enforce this, the township must establish a procedure for how "ambient" noise levels are to be determined. Ambient noise levels will vary widely over the course of a single day, and will very possibly be different on a daily basis.
- ✓ Should the township receive a complaint about the noise from a turbine, it will be the responsibility of the township zoning inspector, or a third party hired by the township to determine if the sounds being produced are in violation of the zoning resolution. This will involve the purchase of equipment or the hiring of consultants to do this work.
- ✓ Staff feels that as long as a turbine is operating within its normal sound ranges, this is adequate protection. Staff recommends replacing the existing language with the following:
  - Decibel levels shall not exceed those provided by the manufacturer as requested in Permits, (2)(e).



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- Sections 1507 – 1515
  - ✓ These sections are the same as those contained in Article 14, Small Wind Energy Project Regulation.
- Staff Comments:
  - ✓ Staff feels that incorporating multiple Zoning Text Articles for Wind Projects could become confusing.
  - ✓ The language of the two articles is nearly identical, and could be merged very easily. It appears that the township just needs to decide what total height would be appropriate.
  - ✓ There could be an instance where an individual wishes to pursue a wind energy project that is less than 25 kilowatts in size, but greater than 140 feet in total height. Which set of regulations would govern in this circumstance should the two separate articles be adopted?

## STAFF RECOMMENDATIONS:

- Based of the staff analysis above, staff recommends ***DENIAL*** of the proposed text amendment for *Intermediate Wind Energy Projects*.
- Staff feels that the township should work to merge this proposal with the already adopted "*Small Wind Energy Project*" regulations, and use single section to govern all wind projects less than five (5) megawatts in size.

## ZONING & SUBDIVISION COMMITTEE RECOMMENDATIONS:

- The Zoning and Subdivision Committee recommended ***DENIAL*** of the proposed zoning text amendments regarding Intermediate Wind Energy Projects in accordance with the analysis and comments outlined above.



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## STAFF REPORT

FOR CONSIDERATION BY LUC REGIONAL PLANNING COMMISSION EXECUTIVE  
COMMITTEE  
June 10, 2010

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### ALLEN TOWNSHIP TEXT AMENDMENTS – *SMALL WIND FARMS LESS THAN FIVE (5) MEGAWATTS (MW)*

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APPLICANT: Allen Township Zoning Commission

REQUEST:

- Review of Zoning Text Amendments to the *Allen Township Zoning Resolution* regarding "*Small Wind Farms Less than Five (5) Megawatts (MW)*".

PROPOSED AMENDMENT:

- This Zoning Text Amendment encompasses the following:
  - ✓ Section 571 – "*Small Wind Farms Less than Five (5) Megawatts (MW)*"

STAFF ANALYSIS (W. Dodds):

- **Section 571 (Opening) -**
  - ✓ This language is reflective of what is LUC's model small wind project text. However the sentence that reads "*Small Wind Projects less than 5MW and used solely for Agriculture will be exempt from these zoning regulations as an Agricultural Use*" has been removed. Staff questions what the intent of removing this sentence is, and would caution the township that an owner that proves a wind project is solely for agricultural purposes would still be exempt from zoning regulations even without this clause.
- **Section 571 (1) Maximum Height –**
  - ✓ Consistent with LUC model language.
- **Section 571 (2) Setbacks –**
  - ✓ The setback has been increased to 1.5 times the height of the turbine from LUC's model text of 1.1 times the turbine height. The setback language also includes setbacks from primary or inhabited structures on the owners property or the parcel on which the turbine is situated. Staff has concerns about this



# Logan-Union-Champaign Regional Planning Commission

clause, as many cases, turbines are required to be located close to a primary residence to power the home. Staff feels as long as surrounding property owners are protected, that is sufficient. Staff recommends striking the references to setbacks from primary or inhabited structures located on the same property as the turbine from this section.

- **Section 571 (3) Maintenance –**
  - ✓ Consistent with LUC model language.
- **Section 571 (4) Decibel Levels –**
  - ✓ Staff feels that this section will be too cumbersome for the township to enforce. In order to enforce this, the township must establish a procedure for how “ambient” noise levels are to be determined. Ambient noise levels will vary widely over the course of a single day, and will very possibly be different on a daily basis.
  - ✓ Should the township receive a complaint about the noise from a turbine, it will be the responsibility of the township zoning inspector, or a third party hired by the township to determine if the sounds being produced are in violation of the zoning resolution. This will involve the purchase of equipment or the hiring of consultants to do this work.
  - ✓ Staff feels that as long as a turbine is operating within its normal sound ranges, this is adequate protection. Staff recommends replacing the existing language with the following:
    - Decibel levels shall not exceed those provided by the manufacturer as requested in Permits, (2)(e).
- **Section 571 (5-6) –** Consistent with LUC model language
- **Section 571 (7) Building Permits**
  - ✓ Staff recommends this section should read as follows:
    - *“All Small Wind Farms and parts thereof shall obtain all applicable Building Permits from the Union County Building Regulations, and the State of Ohio, where required.”*
- **Permits (Opening)**
  - ✓ Consistent with LUC model language.
- **Permits (1)**
  - ✓ Consistent with LUC model language.
- **Permits (2)**
  - ✓ Staff recommends striking letter “g”. Please see comments from *Section 571 (4) Decibel Levels* above.



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- Permits (3-5)
  - ✓ Consistent with LUC model language.
- Definitions
  - ✓ Clear Fall Zone
    - Staff recommends the following changes to this definition: (Please see comments from *Section 571 (1) setbacks* above.)  
*"An area surrounding the wind turbine unit, into which the turbine and/or turbine components might fall due to inclement weather, poor maintenance, faulty construction methods, or any other condition causing turbine failure, which shall remain unobstructed and confined within the property lines of the primary parcel where the turbine is located. The purpose of the zone being that if the turbine should fall or otherwise become damaged, the falling structure will be confined to the primary parcel ~~and will not fall onto dwellings or any inhabited buildings~~ and will not intrude onto a neighboring property."*
  - ✓ The remaining definitions are consistent with the LUC model language.

## STAFF RECOMMENDATIONS:

- Based on the staff analysis above, staff recommends **APPROVAL** of the proposed text amendment for *Small Wind Farms Less Than Five (5) Megawatts*, with the incorporation of staff recommendations above.

## ZONING & SUBDIVISION COMMITTEE RECOMMENDATIONS:

- The Zoning and Subdivision Committee recommended **APPROVAL** of the proposed text amendments regarding "*Small Wind Farms Less than 5 Megawatts (MW)*", with incorporation of staff comments above, and the following additional comments from the Committee:
  - The committee recommends that Allen Township insert the following sentence back into the opening paragraph: "*Small Wind Projects less than 5MW and used solely for Agriculture will be exempt from these zoning regulations as an Agricultural Use*". The committee felt that adding this paragraph back into the text provided clarity, as turbines that are used for agricultural purposes would be exempt from zoning regulations whether the text contained this statement or not.



## Director's Report – June 10, 2010

### Jenny's Activities:

#### Meetings, Miscellaneous & Projects

May 13	Darby Township Zoning Commission Public Hearing on Zoning Amendments
May 18	Mad River Township Zoning Commission Public Hearing on Zoning Amendments
May 19	Ag. Tour Planning Meeting
May 20	Attended the MORPC Franklin-Delaware County Summit
May 26	Work Session w/ Brad Bodenmiller & Melanie Kendrick on City of Urbana Comp Plan
June 8	<ul style="list-style-type: none"> <li>✓ Subdivision Regulations Review Committee at LUC</li> <li>✓ LUC Zoning &amp; Subdivision Committee Meeting</li> </ul>
Ongoing Projects	<ul style="list-style-type: none"> <li>✓ Dover Township (Union County) Comprehensive Plan</li> <li>✓ City of Urbana Comprehensive Plan</li> <li>✓ Ag. Tour Planning w/ Logan SWCD</li> <li>✓ LUC Audit</li> <li>✓ Union County Comp Plan</li> <li>✓ Darby Township (Union County) Zoning Amendments</li> <li>✓ Mad River Township (Champaign County) Zoning Amendments</li> <li>✓ Subdivision Regulations Update</li> </ul>

### Wes' Activities:

#### Miscellaneous

May 19	Attended Logan County Ag Tour Planning Session
May 25	Met with Village of Christiansburg Officials to discuss possible grant funding for a waste water treatment facility
May 26	Attended Union County Comp Plan Ag & Natural Resources Committee
May 26	Work Session w/ Brad Bodenmiller & Melanie Kendrick on City of Urbana Comp Plan
May 27	Attended Harrison Township (Logan County) Zoning Commission meeting to discuss zoning updates
June 7	<ul style="list-style-type: none"> <li>✓ Attended Union County Commissioners CDBG FY2009 Amendment Hearing</li> <li>✓ Attended Union County Commissioners CDBG FY2010 2<sup>nd</sup> Public Hearing</li> </ul>
June 8	<ul style="list-style-type: none"> <li>✓ Attended Champaign County Commissioners CDBG FY2010 2<sup>nd</sup> Public Hearing</li> <li>✓ Met with County Engineers to continue Subdivision Regulations Update</li> <li>✓ LUC Zoning &amp; Subdivision Committee Meeting</li> </ul>

#### Ongoing Projects

	<b>Union County</b> <ul style="list-style-type: none"> <li>✓ FY2009 funds to be directed to the Village of Magnetic Springs – Street Resurfacing</li> <li>✓ FY2010 funds to be directed to Raymond &amp; Peoria</li> </ul>
CDBG	<b>Champaign County</b> <ul style="list-style-type: none"> <li>✓ FY2010 funds to be directed to: <ul style="list-style-type: none"> <li>• Village of Mechanicsburg – Curbs &amp; Sidewalks</li> <li>• Adams Township - Resurfacing</li> <li>• Mad River Township - Resurfacing</li> </ul> </li> <li>✓ FY2009 Senior Citizen Center ADA Ramp Project – Bid opening June 17, 2010</li> </ul>
GIS	Johnson Township
Comp Plans	Logan County Township Plans: Perry Township – Ongoing; Zane Township; Jefferson Township City of Urbana – Ongoing; Union County Update
Zoning Updates	Wayne Township – Pending Trustees Hearing Lake Township – Reviewing for possible changes Harrison Township – Working with Zoning Commission on updates West Mansfield – Group Home Language



# Logan-Union-Champaign regional planning commission

Director: Jenny R. Snapp

## Heather's Activities:

### Meetings, Miscellaneous & Projects

May 20	Champaign County CoC Leadership Team
May 26	Urbana Comprehensive Plan meeting with Melanie & Brad
June 1	Champaign County Housing Coalition – Fair Housing Training Completed
June 2	Champaign County Prevention Alliance
June 8	Met with County Engineers regarding Subdivision Regulations Zoning & Subdivision Committee Meeting
On going	<ul style="list-style-type: none"><li>• Updating sections of Union County Comp Plan, inserting sections into final draft version</li><li>• Contact database</li></ul>



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Executive Committee Meeting Minutes  
Thursday, June 10, 2010

LUC President Robert A. Yoder called the meeting to order at 1:15 pm.

**Roll Call** - Jenny Snapp, Director

**Members present:** John Bayliss, Mike Bow, Max Coates, Scott Coleman, Greg DeLong, Ves DuPree, Bill Edwards, Charles Hall, Paul Hammersmith, Jim Holycross, Bill Kelley, Valerie Klingman, Randy Kyte, Brad Lightle, Doug Miller, Tim Notestine, Ryan Shoffstall, Rick Shortell, Jenny Snapp, Jeff Stauch, Tim Tillman, Peg Wiley, and Andy Yoder.

**Members absent:** Tracy Allen, Brad Bodenmiller, Barry Moffett, Fereidoun Shokouhi, Tom Smith.

**Guests present:** Robb Cummins, Harrison Township; Nancy Reger, MORPC; Judith Walk, Allen Township; Charlotte Blumenschein, Allen Township; Don Walters, Village of Russells Point; Phil Metz, Jefferson Township; Wes Dodds and Heather Martin of LUC Regional Planning Commission.

**Minutes:** Max Coates made the first motion to approve the minutes from the May 13, 2010 meeting as written. Jim Holycross made the second motion to approve the minutes from the May 13, 2010 meeting as written. All in favor.

**Treasurer's Report:** LUC Treasurer Max Coates presented the Financial Report for May. Bill Edwards made the first motion to accept the Financial Report. John Bayliss made the second motion to accept the Financial Report. All in favor.

**ODOT Reports:**

ODOT District 6 and 7 were both placed on the web-site; Brad Lightle presented for information District 7.

**New Business:**

1. MORPC Regional Plan, Shaping our Future – Nancy Reger
  - o Nancy spoke to the Executive Committee regarding the MORPC Regional Plan.
2. Review of Jerome Village GPN-7 Final Plat, Jerome Township, Union County – Staff Report by Jenny Snapp



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- Max Coates made the first motion to accept the recommendation of the Zoning and Subdivision Committee to table the GPN-7 Final Plat at the request of the developer. Charles Hall made the second motion to accept the recommendation of the Zoning and Subdivision Committee to table the GPN-7 Final Plat at the request of the developer. All in favor.
3. Review of Jerome Village GPN-2 Preliminary Plat, Jerome Township, Union County – Staff Report by Jenny Snapp
- Charles Hall made the first motion to accept the recommendation of the Zoning and Subdivision Committee to approve the GPN-2 Preliminary Plat with comments from the reviewing agencies and LUC staff which must be incorporated into the construction drawings and final plat. Jeff Stauch made the second motion to accept the recommendation of the Zoning and Subdivision Committee to approve the GPN-2 Preliminary Plat with comments from the reviewing agencies and LUC staff which must be incorporated into the construction drawings and final plat. All in favor.
4. Review of Jefferson Township (Logan County) Zoning Text Amendments including language for group care facilities – Staff Report by Wes Dodds
- John Bayliss made the first motion to accept the recommendation of the Zoning and Subdivision Committee to approve the Jefferson Township Zoning Text Amendments with comments from staff and the Zoning and Subdivision Sub Committee. Doug Miller made the second motion to accept the recommendation of the Zoning and Subdivision Committee to approve the Jefferson Township Zoning Text Amendments with comments from staff and the Zoning and Subdivision Sub Committee. The committee also recommends that the township send this back to the Logan County Prosecutor for review after any changes are made. All in favor.
5. Review of Paris Township (Union County) Zoning Text Amendments regarding Wind Turbines greater than 25KW and less then 5MW – Staff Report by Wes Dodds
- Charles Hall made the first motion to accept the recommendation of the Zoning and Subdivision Committee to deny the Paris Township Zoning Text Amendments. Max Coates made the second motion to accept the recommendation of the Zoning and Subdivision Committee to deny the Paris Township Zoning Text Amendment. The committee felt that Paris Township should work to combine this language with the existing language for small wind projects. All in favor.
6. Review of Allen Township (Union County) Zoning Text Amendments regarding Small Wind Farms - Staff Report by Wes Dodds



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- o Doug Miller made the first motion to accept the recommendation of the Zoning and Subdivision Committee to approve the Allen Township Zoning Text Amendment with the incorporation of staff comments contained in the staff report and Bill Kelley made the second motion to accept the recommendation of the Zoning and Subdivision Committee to approve the Allen Township Zoning Text Amendment with the incorporation of staff comments contained in the staff report. All in favor.

### **Director's Report** – Jenny Snapp, Director


- Audit – we had a perfect audit from the State of Ohio; we're waiving the exit interview
- Subdivision Regulations – We met on Tuesday, had some updates in regards to tabling, extensions, and procedures. Hopefully, it will be clearer.
- CDBG – Wes gave an update on the projects for Union and Champaign County.

### **Other**

- Charles asked how the other counties are doing with NSP. Logan County will be tearing down houses. The City of Bellefontaine has already torn down three houses.
- Judith Walke from the Allen Township Zoning Commission stated she needed a recommendation from LUC regarding the new definition "accessory structures". Wes checked the submittal from Allen Township and advised Ms. Walke and the committee that he had reviewed this definition as part of the wind language, as it appeared to go with it in the submittal. As this definition had already been reviewed, it was included with the recommendation for Approval for the Allen Township Zoning Amendments.

**Adjourn:** Max Coates made the first motion to adjourn the LUC Executive Committee Meeting at 2:14 pm, and Bill Edwards seconded the motion. All in favor.

**Next Scheduled Meeting:** Thursday, July 8, 2010, 1:15 pm at the LUC Office at 9676 E Foundry St, East Liberty.

  
President

  
Secretary

9676 E. Foundry St, PO Box 219  
East Liberty, Ohio 43319

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