

XENIA TOWNSHIP ZONING COMMISSION MEETING

December 8, 2021

THESE MINUTES ARE A SUMMARY OF THE EVENTS OF THE MEETING AND ARE NOT A WORD FOR WORD ACCOUNT OF THE DISCUSSIONS WHICH TOOK PLACE.

The Xenia Township Zoning Commission held a meeting on December 8, 2021 at 6:00 p.m. at the Xenia Township Office, 8 Brush Row Road, Xenia, OH 45385; this meeting was advertised on the Xenia Township website within 24 hours of scheduling the meeting.

Jeffrey Zweber called the meeting to order at 6:30 p.m.

Attendees: Jeffrey Zweber, Virgil Ferguson, Roy Colbrunn and Alan Stock. No Guests.

The minutes from the November 23, 2021 Zoning Commission meeting were read for additions or corrections. Mr. Colbrunn moved to approve the minutes from the November 23, 2021 meeting. Mr. Ferguson seconded the motion. All voted aye, MOTION PASSED.

The meeting began with an update on the Well Field Protection Overlay.

The board then read the definitions of Conditional Use and Conditional Use Permits in Section 201 of the Zoning Resolution. It was agreed that annual inspections and annual inspection wordage should be added to all Conditional Uses to verify that ownership has not changed and that the Conditional Use is still being used.

The next topic was regarding the process for annual inspections and fees associated with that in mining.

Section 700.5 Fees was then read. It was agreed to change the first sentence to now read: When any petition or annual operating permit is filed as provided in

this section, and before any action is taken, any person desiring such action shall be required to pay a fee and under no condition shall such sum or part thereof be refunded. Such fee schedule is determined by Xenia Township Trustee Resolution.

The discussion then turned to adding a new definition to Section 201, Definitions:

Conditional Use Operating Permit: Operator shall obtain annually an operating permit which certifies conformance to all requirement specified by Board of Zoning Appeals approved plan.

The discussion then changed to a fee schedule for an Annual Operating Permit and what the fee should be for a Utility Scale Solar Permit Board of Zoning Appeals Hearing. There was also a discussion of the different agencies that could be involved with this process. It was agreed that the fee for this should state: The initial Board of Zoning Appeals Fee for Utility Scale Solar is \$600.00 plus any other review fee required by any other State or County entity. It was also agreed that the Annual fee should be 1/3 of the initial Board of Zoning Appeals Conditional use fee.

There was a brief discussion of the differences between Use, Area and Conditional Use Variances.

The discussion then turned to the Decommissioning Plan for Utility Scale Solar. It was agreed to add three (3) new paragraphs to the Site/Operations Plan. The first would be, Performance bond based on total decommissioning cost, salvage value with the company as the principal holder, the insurance company as the insuee and Xenia Township as obligee. The second paragraph is, before decommissioning process begins, a separate Decommissioning RUMA (Road Use Maintenance Agreement) will be obtained. And the last paragraph shall be for the Time Table Schedule.

There was a brief discussion of the Board of Zoning Appeals application for a Conditional Use for Utility Scale Solar. It was agreed that the applicant should provide Xenia Township a paper copy, a PDF copy and a thumb drive copy of the information required for the Board of Zoning Appeals Hearing.

The next discussion was regarding adding the Scenic Protection Overlay to Section 414 and to move the existing Section 414 to 415 and to move the existing Section 415 to make a new Section 416. They then discussed existing Protected Land Use areas around Xenia Township area and where Protected Land would be required inside Xenia Township.

The last topic for discussion was regarding the existing fee schedule for Zoning Certificates and how Utility Scale Solar should be charged for Zoning Certificates.

Mr. Colbrunn called to adjourn and Mr. Zweber seconded the motion.

Meeting adjourned 8:45 PM

ATTEST:

Alan D. Stock, Zoning Inspector