

RECORD OF PROCEEDINGS

Minutes of

Waterville Township Zoning Commission

Meeting

EASTERN DISTRICT, PUBLICS, SPENCER, OHIO

Form 803

Held at 7:30 p.m. at the Waterville Township Hall on August 20, 2007

ROLL CALL:

Chairman George J. Cole - Present
 Vice-Chairman Tom Overmyer - Present
 Member Glenn A. Banas - Present
 Member Daryl Powell - Excused absence
 Member Tom Wardell - Present

OFFICIALS:

Zoning Inspector Eric H. Gay - Present
 Waterville Township Trustee Chairman A. Leslie Disher - Present
 Fiscal Officer Kay Ann Robertson - Present

GUESTS:

Molly Maguire, Planner for the Lucas County Plan Commission
 Lisa Boltz, 11465 Stiles Road, Whitehouse, Ohio
 Scott Boltz, 11465 Stiles Road, Whitehouse, Ohio
 Tamara J. Urbas, 5845 Berkey-Southern Road, Whitehouse, Ohio
 Anton J. Urbas, 5845 Berkey-Southern Road, Whitehouse, Ohio
 Fred Gothke, 11230 Stiles Road, Whitehouse, Ohio

MINUTES:

The minutes had been prepared by Fiscal Officer Kay Ann Robertson and sent to each zoning commission member prior to the meeting.

Tom Overmyer made a motion to dispense with the reading of the minutes of the July 16th meeting and to approve these minutes with no additions or corrections. Seconded by Glenn A. Banas.

CORRESPONDENCE:

Motion Carried.

None.

PUBLIC HEARING - JAMES YAGGIE SMALL WIND TURBINE SPECIAL USE - Z22-C109:

Chairman George J. Cole opened the public hearing which had been continued until this date and time. The purpose of the hearing is to consider an application by James and Jacqueline Yaggie, 11405 Stiles Road, Waterville, Ohio, in Waterville Township, for a special use permit for a small wind turbine.

COMMENTS:

George Cole: Judging from the comments at the July 16th hearing, the two issues the neighbors had were noise and safety. Lab tests show the ambient noise level is 45 decibels. In regards to safety, we spoke with two different manufacturers and they have no records of catastrophic failures with regards to wind turbines this size. Our regulations state there must be a 125% fall area. Throwing ice is not an issue, it breaks off and drops. Chairman Cole did not feel the stated objections last meeting were based on fact.

Tony Urbas: Questioned if it was true that Mr. Yaggie would not be able to sell excess electricity back to Toledo Edison. He also mentioned that special use applications are treated like an amendment to the zoning resolution. You can contest a decision made by the trustees, circulate petitions and place the matter on the ballot.

Scott Boltz: Questioned if the township would be adopting a noise ordinance.

Fred Gothke: He had hoped that Mr. Yaggie would have put up the wind turbine. (Mr. Gothke is a farmer and might consider one for his farm. He also wondered how some of the neighbors could have gotten rid of the turbine if it became a nuisance.

George Cole: Chairman Cole announced that James Yaggie was withdrawing his application for a special use permit for a small wind turbine. He went on to add that Mr. Yaggie did not withdraw the application because of neighbor pressure. Ultimately, it was the zoning resolution. Upon further contact with the manufacturer of the turbine he was going to purchase, Mr. Yaggie learned that he would need at least 100-125 feet for it to be efficient and our zoning code does not permit that height. For now it is a non-issue.

Lisa Boltz: Wanted to know why their group had not been notified about the hearing meeting tonight. Mr. Cole was under the impression they wanted to be notified if the commission was going to be making a decision tonight. Since Mr. Yaggie had withdrawn his application, their group was not notified.

continued.....

RECORD OF PROCEEDINGS

055

Minutes of Waterville Township Zoning Commission

Meeting

BERRY BROTHERS PUBLISHERS, WINDYBELL, OHIO

Form 5101

Held at 7:30 p.m. at the Waterville Township Hall on August 20, 2007

Continued:

George Cole: Additional information on the small wind turbines revealed that they have a brake on them which would only allow them to go so fast.

Tom Wardell made a motion to close the Public Hearing advertised for this date and time due to the withdrawal of his application for a small wind turbine by Mr. Yaggie. Seconded by **Glenn A. Banas**.

Motion Carried.

OLD BUSINESS:

Chairman George Cole asked Planner Molly Maguire to get clarification on the way the electric companies treat excess electricity generated by these private wind turbines. The township would not be in favor of the private turbine holder getting a financial gain.

PLAN COMMISSION PLANNER:

Planner Molly Maguire stated that O.D.O.T. had sent a CD on the parcels that will be effected by the US 24 Bypass. She will try to get a list for Waterville Township by next meeting.

ZONING INSPECTOR'S REPORT:

- 1) Thirty-one (31) permits to date.
- 2) Inspector Gay is in the process of getting a copy of the noise ordinance that was passed by Monclova Township. The township solicitor is also the solicitor for Monclova Township and he drafted their copy of a noise ordinance. They had it drafted because the Sheriff would not respond unless they had something to back them up.
- 3) Randy and Kristin Miller, 6544 North River Road, have responded to the letter sent them by the township solicitor. Inspector Gay is going to bring it up at the next trustees' meeting - 8/22/07.
- 4) In regards to Coventry Glen, the weeds have been mowed. Brian Miller at the Lucas County Engineer's Office states he has the specs to change the retention ponds to detention ponds. The issue now is money.
- 5) Inspector Gay had a go round with Betty Schultz on Dutch Road. Ms. Schultz has a special use permit for a horse barn and arena. Her son is using the horse arena to repair vehicles. She called back this date and says everything is gone.
- 6) A Springfield Farms resident whose property backs up to Obce Road has built a barn to house his recreational vehicle. He has a split-rail fence in back that he plans to take the rails out of to bring the vehicle in and out. According to the recently enacted access management regulations for the county, he cannot do that. Inspector Gay states this is not a zoning issue and he is not going to police the access management regulations.

COMMENTS:

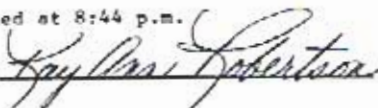
Les Disher: Trustee Chairman Disher had three (3) issues: a) Feels we need to enact something to cover the parcels from the US 24 bypass buyouts that leave an accessory building/barn without a residence. b) Progress continues on the creation of a drop-off site for waste and recyclibles in Waterville Township. c) The school levy is off the ballot for November. They have been able to make adjustments and are now back in the black. There will be a renewal levy on the ballot next fall.

There being no further business, **Glen A. Banas** made a motion to adjourn. Seconded by **Tom Overmyer**.

Motion Carried.

Adjourned at 8:44 p.m.

Attest:



Commission:

