

XENIA TOWNSHIP ZONING COMMISSION MEETING

July 13, 2022

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 July 13, 2022 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 6:05 p.m.

Attendees: Jeffrey Zweber, Alan King, Virgil Ferguson, Roy Colbrunn, Alan Stock. One guest, Mark Bonfas, Hull and Associates, a Consultant for Samsung.

The minutes from the June 8, 2022 Zoning Commission meeting were read for additions or corrections. Mr. Colbrunn moved to approve the minutes from the June 8, 2022 meeting. Mr. King seconded the motion. All voted aye, MOTION PASSED.

The minutes from the June 23, 2022 Zoning Commission meeting were read for additions or corrections. Mr. Zweber moved to approve the minutes from the June 23, 2022 meeting. Mr. Colbrunn seconded the motion. All voted aye, MOTION PASSED.

The meeting began with the reading of the Utility Scale Solar Energy System Document Checklist. The Conceptual Site Operation Plan was first discussed. The topic of fencing arose and the effects fencing would have on wildlife. It was stated that the fencing is constructed to allow small animals through and that deer are able to jump the fence. It was agreed that the Conceptual Site Operation Plan should be reworded to read:

The proposed operational concept map shall include the appropriate legend showing the following:

A. Project Area Boundary

- a. The location and description of the project area boundary
- b. The proposed location of the solar panels and related facilities
- c. The location of proposed fencing, driveways, internal roads, adjacent structures and lighting
- d. The location of proposed setbacks
- e. The location and nature of proposed vegetative buffers, and screening in accordance with section 515
- f. The location of points of ingress/egress
- g. Any proposed operational phases.
- h. Natural features such as streams and woodlands

B. Lighting. Any on-site lighting provided for the operational phase of the Solar Facility shall be dark-sky compliant, shielded away from adjacent properties, and positioned downward to minimize light spillage onto adjacent properties.

C. Signage. Shall display signs:

- a. Stating the risks that may result from entering the project area
- b. Identifying the owner or operator of the facility
- c. Providing a 24 -hour emergency contact phone number.

D. Site maintenance.

- a. Native grasses shall be used to stabilize the site for the duration of the facility's use.

2. Narrative describing constraints on operation and maintenance activities

A. Hour of non-emergency maintenance operations

B. No staging or storage of vehicles or equipment outside of the project area boundary

C. Comply with

- a. Soil and water conservation plan
- b. Wild life and species management plan.

Conceptual Construction Management Plan was the next topic of discussion. It was agreed that the same information from the Conceptual Site Operation Plan should be added to this section with the addition of Temporary Structures and Temporary Outdoor Storage Areas to the Project Area Boundary Section. To read:

The proposed storage management concept map shall include the appropriate legend showing the following:

A. Project Area Boundary

- a. The location and description of the project construction area boundary
- b. The proposed location of the solar panels and related facilities
- c. The location of proposed fencing, driveways, internal roads, adjacent structures and lighting
- d. The location of proposed setbacks
- e. The location and nature of proposed vegetative buffers, and screening in accordance with section 515
- f. The location of points of ingress/egress
- g. Any proposed construction phases.
- h. Natural features such as streams and woodlands
- i. Temporary structures
- j. Temporary outdoor storage areas

B. Lighting. Any on-site lighting provided for the construction phase of the Solar Facility shall be dark-sky compliant, shielded away from adjacent properties, and positioned downward to minimize light spillage onto adjacent properties.

C. Signage. Shall display signs:

- a. Stating the risks that may result from entering the project area
- b. Identifying the owner or operator of the facility
- c. Providing a 24 -hour emergency contact phone number.

2. Narrative describing constraints on construction activities

- A. The narrative shall address, at a minimum, the effective mitigation of dust, burning operations, hours of construction activity, and handling of general construction complaints.
- B. No staging or storage of vehicles or equipment outside of the project construction area boundary
- C. Comply with
 - a. Soil and water conservation plan
 - b. State or County RUMA
- D. Wild life and species management plan. Traffic control methods (in coordination with the Ohio Department of Transportation and/or County Engineer prior to initiation of construction), including lane closures, signage, and flagging procedures. Site access planning directing employee and delivery traffic to minimize conflicts with local traffic.

The next topic was RUMA (Road Use Maintenance Agreement) was discussed. It was agreed that the Greene County Engineer should be asked for guidance on this section. This section was reworded to read:

An approved RUMA must be submitted from the appropriate political subdivision.

The next section was Conceptual Decommissioning Plan and Bond Conditions. This section was reworded to read:

The Applicant shall submit a conceptual decommissioning plan. The purpose of the decommissioning plan is to specify the procedure by which the Applicant or its successor would remove the Solar Facility after the end of its useful life and to restore the property for the underlying permitted district uses.

1. Decommissioning shall consist of:
 - A. Physical removal of all ground-mounted solar photovoltaic installations, structures, equipment, security barriers and transmission lines from the site.
 - B. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.

- C. Stabilization or re-vegetation of the site as necessary to minimize erosion. The Township may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.
- D. Absent a notice of a proposed date of decommissioning, the solar facility shall be considered abandoned when it fails to operate for one year without the extension approval by the Board of Zoning Appeals. The Township Trustees reserve the right to remove abandoned structures pursuant to ORC 505.86 regarding the removal of buildings.
- E. An estimated decommissioning schedule

The Detailed Decommissioning Plan was read next. It was agreed that this section should have the same information as the Conceptual Decommissioning Plan and Bond Conditions with additions to the end read:

1. Decommissioning Cost Estimate. The decommissioning plan shall include a decommissioning cost estimate prepared by a State licensed professional engineer.
 - A. The cost estimate shall provide the gross estimated cost to decommission the Solar Facility in accordance with the decommissioning plan and these conditions.
 - B. The decommissioning cost estimate shall not include any estimates or offsets for the resale or salvage values of the Solar Facility equipment and materials.
 - C. The Applicant, or its successor, will update the decommissioning cost estimate every 5 years
3. A performance bond based on the total decommissioning cost without regard to salvage value and where the company is the principal, the insurance company is the surety, Xenia Township is the obligee.

The next sections read was Conceptual Soil and Water Conservation Plan and Conceptual Wildlife and Species Management Plan. It was agreed that Greene County Soil and Water and ODNR should be contacted for guidance in these sections.

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

Meeting adjourned 7:56 PM

ATTEST:

Alan D. Stock, Zoning Inspector