

TATE TOWNSHIP ZONING BOARD

JULY 10, 2024

MEMBERS PRESENT

Betty Armacost
David Zimmerman
David Kelsey
Tiffany Riddle
Alicia Blankenship

ALSO PRESENT

Lucinda Chandler
Lynn Buede & Robert Buede
Amy Campbell
Jody Wilson
Mark Jones
Greg Schuler
Ron Bulow
Shelby Baird

Ms. Armacost called the meeting to order at 7:00 PM. The purpose of this meeting is to consider an amendment to the zoning resolution to include a section regarding solar regulations, section 14. The Clermont County Commission has approved the resolution as written.

Ms. Armacost asked for questions regarding the resolution.

Mark Jones stated that he appreciated the commission's service. He was concerned about the requirement that panels not be visible. He stated that they need to be orientated toward the sun. Page 5, item 3 states that they "shall not be located on the front slope of a pitched roof and shall not be visible from the street front or side street of the residence. He is concerned that it would limit the use. Ms. Armacost replied that the point-of-use system requirements covers that; it is not an issue. The homeowner can request a modification, it could be ground mounted. Mr. Baird clarified that it would be applied on a case-by-case basis. The Board of Zoning Appeals could grant a variance.

Ms. Riddle asked Mr. Baird about Page 11, Section D, Item 2, the requirement for fire hydrants every 3000 feet. She stated that due to the size of the main it may not be possible. In that case, will the main size be increased? She does not believe we have the infrastructure. Mr. Baird replied that the guidelines are up front for the permit. It does not pertain to private use. Mr. Schuler asked if a permit could be denied due to the hydrant requirement. Mr. Baird stated that

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they could request a hearing with the planning committee. It's part of the process.

Lynn Buede asked if we should collect decommissioning money up front. Ms. Riddle replied that bond money is addressed in the resolution on Page 16, Section E, item #5. Ms. Buede suggested that be re-evaluated. That is covered in the amendment. The amount will be re-evaluated every 5 years. Small solar systems not being used must be removed if no electric is generated within 3 months. They have twelve months to dismantle and remove it from the property and restore the property to its prior condition. Ms. Buede asked where will they dispose of the material. How will you know that they were removed from the property and not buried on the property. Ms. Riddle stated that Pages 3 and 4, Section 14.4 C states that "within all zoning districts, Solar Energy Systems shall be repaired, replaced, or removed within 30 days of becoming damaged or non-functional. Failure to do so may result in the Solar Energy System being declared discontinued or abandoned." If the property owner does not comply, the township will remove it at the owner's expense.

Ms. Riddle stated that she was sure that they can regulate the requirement for 8' trees. Mr. Baird stated that that requirement is for a P.U.D. Page 11, Section D. The process is very different from a normal permit. Section F is the requirement for an annual compliance report that provides "information regarding the yearly electrical output, the net metering agreement and report, any record of complaints and applicable resolution, and any other reasonable information requested by the Tate Township Board of Trustees". They also must pay a filing fee per the schedule. The zoning inspector will be responsible to check for compliance.

Lucinda Chandler commented that currently solar panels are not recyclable. When they are damaged, they have to be removed and stored.

Ms. Armacost asked for a motion to submit the amendment to the Tate Township Board of Trustees for their action. Ms. Buede asked if the amendment could be changed. The answer was yes. Mr. Zimmerman said that there are a lot of restrictions in the amendment. Mr. Baird discussed the application process and how to get approval. A P.U.D. will go through the zoning commission and the

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county planning commission. It may not prevent solar farms but it does give the township some control.

Mr. Kelsey asked if the large solar field on Oak Corner Road is sold would the new owner need to reapply. The answer was that large solar fields are covered by the township. Senate bill 52 allows the township 1 representative and the county 1 representative to participate in the application process. If a new owner wants to split the large solar farm into 2 smaller farms, then they would have to go through the process for a P.U.D.

Ms. Armacost asked for a motion to approve the amendment. Motion by Mr. Zimmerman to approve the amendment, 2nd by Mr. Kelsey. Roll call: Mr. Zimmerman, yes, Mr. Kelsey, yes, Ms. Blankenship, yes, Ms. Armacost, yes, Ms. Riddle, no, she would like to some changes.

Motion by Mr. Zimmerman to adjourn, 2nd by Ms. Riddle.