



GERMAN TOWNSHIP BOARD OF TRUSTEES MINUTES OF THE SPECIAL MEETING HELD ON MAY 8, 2024

The meeting was held at the German Township Hall located at 12102 St. Rt. 725 West, Germantown, OH 45327 and virtually using WebEx.

The meeting was called to order by Board President Mark Cross at 7:00 pm. In attendance were:

President Mark Cross	Vice President Jacob Stubbs	Trustee Louis Potter
Fiscal Officer Mark Heistand	Zoning Inspector Shauna Close	

IN-PERSON ATTENDEES:

Name	Address	Name	Address
Deb Cross	7444 S. Stiver Road	Kurt Jacoby	12955 Harris Road

ONLINE ATTENDEES:

Name	Name	Name	Name
TA Price			

The Germantown Press was notified of the Special Meeting on 4/29/24 at 3:24 pm.

Dr. Cross led the group in the Pledge of Allegiance.

The announced purpose of the Special Meeting was:

- To hold a Public Hearing to review and discuss Zoning Case ZC-24-01, an amendment to the German Township Zoning Resolution, adding regulations for small scale solar facilities.

CASE ZC-24-01:

- Dr. Cross made a MOTION, seconded by Mr. Potter, to open a **PUBLIC HEARING**. The MOTION WAS APPROVED by a unanimous voice vote.
- Dr. Cross thanked the Rural Zoning Commission (ZC) for their efforts over several months to develop the proposed small solar regulations.
- Ms. Close presented her Staff Report. She noted that text changes to the German Township Zoning Resolution involve additions to: (1) Article 24, I-2 GENERAL INDUSTRIAL DISTRICT, Section 2401 (D); and (2) Article 38, ACCESSORY USES, Section 3801 (L), Section 3803 (C), and Section 3804 (M). Additionally, old Article 24, Section 3801 (L) is being renamed as Section 3801 (M). All the changes deal with small scale solar facility regulations in accordance with Ohio Revised Code 519.213: Township Small Wind Farm Zoning Regulations. The ZC approved the changes at a

required Public Hearing on 4/11/24. The Montgomery County Planning Commission reviewed the changes and recommended approval of the changes on 3/14/24. All legal advertising requirements have been met. Notice of this meeting appeared in the Germantown Press on 4/24/24.

- Ms. Close then read the Article 24 and Article 38 revisions in their entirety.
- Dr. Cross read a list of corrections that were needed from the version approved by the ZC. Mr. Stubbs noted that the corrections were all minor typographical errors.
- Dr. Cross made a MOTION, seconded by Mr. Stubbs, to approve the Article 24 and Article 38 corrections. The MOTION WAS APPROVED by a unanimous voice vote.
- Dr. Cross asked if the Trustees or the public had any questions for the Zoning Inspector. He also asked if the online attendee wished to make a comment. There was no response.
- Mr. Stubbs commented that the corrections were well thought out and made a lot of sense.
- Dr. Cross read sections of O.R.C. 519.213 that defined small solar facilities and granted power to township trustees to establish regulations over these facilities.
- He read the Preamble to Article 8: "A" Agricultural District of the German Township Zoning Resolution: "This district has been established to provide for agricultural activity and related uses and is intended to protect and preserve areas of prime agricultural soils for continued agricultural and agriculturally related uses."
- He stated that if a resident desired to construct a small-scale solar facility in a zoning district other than I-2, the property would need to be rezoned to I-2 by the ZC with approval by the Trustees.
- He noted that the public can access changes to Article 24 and Article 38 via a Public Records Request or by visiting the Zoning Office during regular business hours. Until the effective date, the existing Articles 24 and 38 will be available online as well as the version effective on 6/7/24.
- He stated that he would introduce a Resolution at the 5/13/24 Regular Meeting to terminate the current moratorium on small solar facilities once the changes to Articles 24 and 38 go into effect on 6/7/24.
- **Visitor Comment: Kurt Jacoby, 12955 Harris Road:** ZC Chair Kurt Jacoby noted that the new regulations only address small solar farms under 50MW. Larger solar farms fall under the county's jurisdiction for approval. He stated that the proposed performance bond requirements were modeled after Ohio Power Siting Board regulations. He noted that the regulations require engineering studies every five years, which will require the Township to track enforcement. He noted that the ZC worked on developing the regulations for over a year.
- Mr. Stubbs suggested that the new regulations be sent to the Ohio Township Association and be made available to other rural townships as a template. Mr. Jacoby agreed with the suggestion.
- Dr. Cross made a MOTION, seconded by Mr. Stubbs, to close the **PUBLIC HEARING**. The MOTION WAS APPROVED by a unanimous voice vote.
- Dr. Cross introduced **RESOLUTION 2024-28**, seconded by Mr. Potter: **A RESOLUTION TO AMEND THE GERMAN TOWNSHIP ZONING RESOLUTION AS RECOMMENDED BY THE RURAL ZONING COMMISSION IN CASE ZC-24-01, ADDING REGULATIONS FOR SMALL SCALE SOLAR FACILITIES, EFFECTIVE JUNE 7, 2024.** Dr. Cross read the Resolution in its entirety. The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2024-28 WAS ADOPTED.**

MEETING ADJOURNED:

- With no further business, Mr. Potter made a MOTION, seconded by Mr. Stubbs, to adjourn. The MOTION WAS APPROVED by a unanimous voice vote. The Meeting adjourned at 7:31 pm.

Signed: Mark Cross
Mark Cross, President, Board of Trustees

Attest: These minutes were approved by the Board of Trustees at the June 10, 2024 meeting.

Signed: Mark A. Heistand
Mark A. Heistand, Fiscal Officer