

# LEROY TOWNSHIP TRUSTEE MEETING MINUTES

The Leroy Township Trustees meet in regular session on November 7, 2022, at 7pm at Townhall.

Present were: Chairman, Heather Shelton, Rich VanPelt, Jason Rodgers, and Alexandra Brown, Fiscal Officer.

Also present were: Attorney Ron Graham & Fire Chief Toman.

The meeting was opened with the Pledge of Allegiance.

At 7:01 Heather Shelton opened the Public Hearing for review of requested zoning changes to Section 33 as requested by the zoning committee.

## 33.01 ALTERNATIVE ENERGIES

33.02 A zoning permit or accessory use zoning permit shall be required for any alternative energy system constructed in any district so stated in this resolution.

33.03 A site plan shall be required to be filed with an application for zoning permit for this use. A decommissioning plan will be required to be submitted.

33.04 Alternative Energy systems shall comply with the following requirements:

A. Permitted uses for all alternative energy systems:

### 1. Requirements for a small wind farm:

a. The definition of a small wind farm is provided by Ohio Revised Code Section 519.213.

b. Each wind tower shall be set back a distance equal to 1.1 times its total height from:  
1. Any public right-of-way  
2. Any overhead utility lines  
3. All property lines

c. The tower will have a total height of 150 feet or less

d. The tower shall be designed and installed so as to prohibit climbing rungs from a level measured 10 feet from the finished grade and installed but not to exceed the manufactured specifications

e. All towers will be constructed as a single piece tower placed on a concrete pad according to manufacturer's recommendations. The tower and its instruments shall be designed and constructed so as to not cause radio and/or television interference to adjacent properties

f. No part of the system, including guy wire anchors, may extend closer than twenty (20) feet to any property line and the right-of-way line.

g. All intra-project power lines and transmission lines leading up to the project shall be underground and meet all local, state and federal regulations.

h. A small wind farm shall comply with all applicable building and electrical codes.

i. Small wind energy systems shall not exceed sixty (60) dB, as measured at the closest neighboring inhabited dwelling.

j. Signs attached to any part of the wind farm structure are prohibited, except for:

1. Appropriate warning signs to address voltage such as “Danger-High Voltage” or “Caution-Electrical Shock Hazard” shall be posted to the sides of the tower.
  2. Owner identification of wind towers, building or other structure associated with the farm and shall be in accordance with this resolution.
- k. The color of wind energy systems shall only be in neutral colors. Logos or other identification markings, other than those of the manufacturer, shall not be permitted anywhere on the turbine.
1. Small wind farms shall not be built on vacant lots.
- m. Light standards: Light from the structure shall not trespass onto neighboring properties.
- n. Maintenance:
1. Wind turbines must be maintained in good working order. Manufacturer’s records for preventive maintenance will apply and shall be available to Leroy Township officials on request.
  2. The owner shall provide written notice of abandonment to the Zoning Inspector within 30 days of permanently ceasing operation of a wind turbine.
  3. A wind turbine is considered abandoned when it ceases transmission for thirty (30) consecutive days.
  4. An unused wind turbine or small wind turbine may stand no longer than nine (9) months following abandonment.
  5. All costs associated with the demolition of the wind turbine tower and associated equipment shall be borne by the owner.
  6. Wind turbines that become inoperable for more than nine (9) months must be removed by the owner within thirty (30) days of issuance of a zoning violation. Removal includes removal of all apparatuses, supports, and or other hardware associated with the existing wind turbine.

2. Permits for a small wind farm:

- a. A zoning permit shall be required before construction may commence.
- b. Projects to install wind turbines are subject to approval of a Site Plan Review prior to the application for a permit.
- c. The applicant shall then provide the Zoning Inspector with the following items or information when applying for a permit:
  - i. Location and elevation of public and private airports in relation to the location and elevation of the wind turbine.
  - ii. A signed and sealed engineering report that shows:
    1. The total size and height of the unit.
    2. If applicable the total size and depth of the unit’s foundation structure as well as soil and bedrock data that meet minimum standards as specified by the manufacturers and local engineering standards.

3. A list and or depiction of all safety measures that will be on the unit including anti-climb devices, grounding devices, lightning protection, braking systems, and anchors.
  4. Data specifying the kilowatt size and generating capacity in kilowatts of the unit.
  5. The maximum decibel level of the turbine unit as obtained from the manufacturer.
  6. Hazardous material containment and disposal plan.
  7. A copy of the site plan shall be included in the engineering report.
  8. Evidence of an established setbacks of 1.1 times the height of the wind turbine and “clear fall zone” shall be shown on the site drawings.
  9. Color of the unit as well as location and size of the manufacturer’s identifying logos shall be included in the report.
  10. A maintenance schedule as well as a dismantling plan that outlines how the unit will be dismantled shall be required as part of the permit.
- d. Any lighting plan submitted will be considered based upon its appropriateness within safety guidelines, compliance with FAA requirements and appropriate demonstration that any such lighting will not constitute a light nuisance across property lines.
  - e. As part of the permit process, the applicant shall demonstrate compliance with any federal, state and local restrictions applicable to wind energy apparatus and any towers associated with such apparatus.
3. Requirements for Solar Panels or Arrays
- a. All ground and roof mounted solar panels shall be in accordance with all setbacks in this resolution. If roof-mounted solar panels are to be installed on a previously built structure that is deemed a legal nonconforming structure per Section 8 of the Zoning Regulation, the solar panel setback requirement is deemed to be met. (Effective 4/1/22)
  - b. All solar panel installations shall comply with all applicable building, plumbing and electrical codes and shall not exceed the manufacturers’ recommendations.
  - c. All intra-project power lines and transmission lines leading up to project shall be underground.
  - d. Solar panels shall not exceed above the roof line more than three (3) feet and shall not exceed the height requirement for the zoning district in which the lot is located.
  - e. Solar panels or arrays shall not be installed on vacant lots.
  - f. Signs attached to any part of the solar panels or arrays are prohibited, except for, appropriate warning signs, owner’s identification, building or other structure associated with the solar panels or arrays and shall be accordance with this resolution.

- g. The number of solar panels or arrays installed shall not exceed the amount required to service the private use of subject property on which they are installed.
4. Any wind energy or solar panel system that will be interconnected with any utility companies power grid must provide evidence that utility company has been informed, approved and has meet all their service connections code requirements. Off-grid systems are exempt from this requirement.

~End of Changes~

There were no comments from the audience.  
 Heather Shelton closed the Public Hearing.  
 Heather made a motion to approve the changes stated above to Sec 33. Rich 2<sup>nd</sup>. Poll of the Vote, Heather Shelton Aye, Jason Rodgers Aye, Rich VanPelt Aye

Heather made a motion to approve all the minutes from 8/22/22-10/17/22. Rich 2<sup>nd</sup>. All in favor.

**Correspondence**

Heather received an email from EMA. We need a resolution for adopting their plan. This would be for if there was any kind of emergency, we would request their assistance. We will have the resolution ready for our next meeting.

One email from the website but there was no email or phone number to be able to respond too. We will continue to investigate it.

**FISCAL OFFICE**

Sharon Rodgers and Lexi would like to attend a free UAN training in Columbus on Dec 8<sup>th</sup>. We will go down the night before.

Heather made a motion to pay all the bills. Rich 2<sup>nd</sup>. All were in favor.

**ZONING**

Noell gave the zoning report

YTD	Permit Applications received	new	Street	Details
11	New Dwelling	1	3901 Painesville Warren Road	New S/F Dwelling
13	Accessory Building	1	8104 Autumn Road	16' X 24" Accessory Structure
		1	7145 Mildon Drive	25' X 60' Accessory Structure
3	Deck/Porch			
4	Fence			
1	Additions to main dwelling			
5	Pool			
4	Agricultural			
1	Home Occupation Type 1	1	7085 Brakerman Road	RENEWAL
2	Home Occupation Type 2	1	13600 Painesville Warren Road	S & A Construction
	Solar PANELS			
2	Demolition	1	8104 Autumn Road	Demo Barn
		1	7145 Mildon Road	Demo Accesory Structure
3	Cell Tower	1	PP 07A0380000120 5429 Blair	AT & T Upgrades
<b>Date</b>	<b>Compliant</b>	<b>Status</b>	<b>Street</b>	<b>Details</b>
			8006 Lester Road	2 ehicles in question FN bewing issued
<b>Hearing updates:</b>				
	Danielle Laurenty		13600 Painesville Warren Rd	CASE DISMISSED. In complaince
<b>Other Notes:</b>				
	Office hours on Thursday			

**FIRE DEPT**

Chief Toman gave the fire report

**LEROY TOWNSHIP FIRE DEPARTMENT  
TRUSTEE’S REPORT:**

**DATE: 11/07/2022**

**# OF CALLS SINCE LAST MEETING: 139**

**TOTAL YEAR TO DATE: 514**

<b>FIRE</b>	<b>26</b>
<b>EMS</b>	<b>75</b>
<b>HAZARDOUS COND.</b>	<b>12</b>
<b>SERVICE CALL</b>	<b>15</b>
<b>GOOD INTENT</b>	<b>4</b>
<b>FALSE ALARM</b>	<b>6</b>
<b>SPECIAL INCIDENT</b>	<b>1</b>

**NEW BUSINESS:**

We will be purchasing our next round of fire hose. This is to keep replacing the hose that we currently have that is 20 pulse years old if not older. All the new hose is color coded and will help create a safer environment on the fire ground.

The department just completed extrication and car fire trainings. We extended and invite to Hambden Fire Department so we could do some joint training.

**OLD BUSINESS:**

We have received a grant from the Elks which we purchased a rescue dummy with for training purposes. We are still waiting for its arrival.

New Security cameras have been quoted and we are still waiting for them to be installed.

~End of Report~

**ROADS**

Jason gave the following road report:

**Service Department Meeting Notes for  
11/7/2022**

- Troy's Plumbing, LLC winterized the concession stand for Leroy Township and graciously donated their work. See attached Invoice.
- Employee George Orsulic started CDL class this past week and has passed his temporary CDL license requirements with a 97.39%. He will go back for the rest of the class November 21<sup>st</sup> – December 9<sup>th</sup> which includes yard work and hands on learning time. After that he will be able to take the final CDL test that will allow him to drive for us. His class schedule had to be moved back per 160 Driving Academy since they have lost a few instructors. This was the earliest time they could get him in for the class.

- The Callow Rd. project was not accepted into issue 2 funding. It was kicked down to small government. We're hoping it will be approved for small government next year.
- We should be done patching Shirley Dr. this week or next. Patching will conclude the week of November 14<sup>th</sup> as well as seasonal help.

## **Things to be discussed and approved:**

- John D. Stopp, Architect- Proposed Architectural Services- See attached Quote: \$10,420.00
- Brendan Lieske-of SME- Proposed Geotechnical Evaluation Services- Soil Boring-See attached quote: \$5,900.00

This money will come out of the building savings fund- line item #2011-760-720-0000

## **Plans for the future:**

We are looking at plans for next year regarding patching.  
 Buying into possibly going along with the county on their patching bids  
 Replacing Mack Tandem  
 Replacing Joe's pickup truck

~End of Report~

Jason also said that the seasonal employees will be done on 11/18/22.

## **CEMETERY**

Cemetery still not seeded yet due to a later patching season.

## **PARKS REPORT**

The Halloween Stroll was well attended. Over 200 kids, many stops ran out of candy. We are planning for more next year. The next event will be Cookies & Craft with Kringle on Dec 3, 2022 at 1pm.

## **NEW BUSINESS**

There was a brief discussion on holding off on making the changes to Sec 31 of the zoning requirements until 2023.

The septic at the school is now in the townships name with the EPA. Tim Frank has given us a contract to service said septic system for \$100 per visit and then \$40 per month for reporting fee.

There was a discussion on the townships ARPA \$\$ and what was possibly going in at the school.

Heather made a motion to accept Tim Frank's service contract. Rich 2<sup>nd</sup>. Heather and rich were in favor, Jason was not.

Jason made a motion to move forward with Architect and Geo boring for the proposed new road department. Rich 2<sup>nd</sup>. Jason and Rich were in favor, Heather was not. Heather asked that the minutes show that her reason for the no vote was due to wanting to wait a month or so to hear if any of the possibilities that had been talked about the school property would pan out or not before moving forward with the road department project in any way.

## **Audience**

Debbie Pesta – offered to be on a committee that would act as ‘extra ears’ or neutral parties, or comprehensive plan for discussions moving forward with the ARPA \$\$\$. She thanked the Road Department for their work on Shirley Dr. Also wanted to know how we could prevent hitting gas lines in the future and if we as a township tracked errors while we are out on the road.

Eric – he asked and addressed the possibility of reusing Leroy school and mentioned it would be cheaper to rebuild then remodel because you never know what else you may find. He also advised that more constructive conversations are needed in the future.

Next meeting is on 11/29/22

Heather made a motion to adjourn the meeting. Rich 2<sup>nd</sup>. All in favor.

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Alexandra Brown, Fiscal Officer

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Heather Shelton,  
Chairman, Trustee