

**MINUTES OF A REGULAR MEETING
OF THE PLANNING COMMISSION
CITY OF INDEPENDENCE, OHIO
October 6, 2020
Held Virtually Via Zoom**

Chairman Lytkowski called the meeting to order at 5:33 p.m. October 6, 2020 and the following responded to Roll Call:

PRESENT: Chairman Dale Lytkowski
Mayor Gregory P. Kurtz
Vice Mayor David Grendel
William Gutermuth

OTHERS

PRESENT: Don Ramm, City Engineer
Michael Gero, Building Official
Gregory J. O'Brien, Law Director
Jeff Markley, City Planner
Jessica Hyser, Economic Development Director

Old Business:

Approval of Minutes of the Planning Commission meeting held on September 1, 2020.

Approval of Minutes of the Public Hearing held on September 1, 2020.

- 1. 6000 Rockside Woods Blvd. North, Kent State College of Podiatric Medicine** – Requesting a U-3 Special Conditional Use Permit for the installation of a 315.2 kW ground mount solar array.

Chairman Lytkowski stated that Planning Commission members had received the Minutes of the September 1, 2020 Planning Commission meeting. The Chairman asked if there were any additions or corrections.

A motion was made by Vice Mayor Grendel, seconded by Mayor Kurtz, to approve the Minutes of September 1, 2020.

**ROLL CALL: Yeas: Grendel, Kurtz, Lytkowski, Gutermuth
 Nays: None
 MOTION CARRIED**

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Chairman Lytkowski stated that the Planning Commission had also received the Minutes of the Public Hearing held on September 1, 2020. The Chairman asked if there were any additions or corrections.

A motion was made by Mayor Kurtz, seconded by William Gutermuth, to approve the Minutes of the September 1, 2020 Public Hearing.

**ROLL CALL: Yeas: Kurtz, Gutermuth, Grendel, Lytkowski
 Nays: None
 MOTION CARRIED**

6000 Rockside Woods Blvd. North, Kent State College of Podiatric Medicine – Andy Hostetler representing Kent State College was in attendance.

Chairman Lytkowski stated that he went over the Minutes from the last Planning Commission meeting, and he stated that the one common thread was about the screening and things of that sort. He asked Mr. Hostetler if he had taken that into consideration.

Mr. Hostetler stated that he had been in contact with a landscaper that would potentially plant some trees that would get to a maximum height of 12 feet. He stated that would keep the shading impact at a very minimal amount to the solar array. He stated that he got the funding approved from Kent State to do that work. He stated that the landscaping would run along the ODOT fence on the ODOT side. He stated that they plan to pull a permit with ODOT with regard to doing that work.

Chairman Lytkowski asked Mr. Hostetler if there was any thought given to put the solar panels on the roof of the school.

Mr. Hostetler stated that they looked at multiple areas, and where they would located the panels would be the only option to obtain any type of offset with the school. He stated that it was the only area on the property that would make sense financially and with solar to be able to make it make sense for the school.

The Chairman asked if Mr. Hostetler considered the property immediately south of the school where the gazebo was located. He stated that there were a number of acres over there which was green space. The Chairman stated that he believed that Kent State owned that land.

Mr. Hostetler stated that he personally was not involved in the development of the project. He had taken it on as the Project Manager. He stated that he knows that they looked at many different locations on their property, and this one was the one that was felt best for the school.

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Chairman Lytkowski stated that Mr. Hostetler had a comment last month at the Planning Commission. The Chairman wanted to read that comment. He asked Mr. Hostetler to help him. The Chairman stated that Mr. Hostetler talked about that they would be tying in the existing service, and they will have no backup power, whatever that would mean. It would just be on demand, and they will feed back into the utility grid once there was not use for it at the utility flowing back through the meter. The Chairman asked Mr. Hostetler what that meant.

Mr. Hostetler stated that the way it would work was there would be no batteries on site; so whatever the solar array was producing, the school would use it immediately on their facility. He stated that in the event that the solar array would produce more power than the school could handle, it would then go back through their meter, spinning the meter backwards in essence and flowing back to the electrical grid.

Chairman Lytkowski stated that in other words, they could have excess capacity. That was what he was talking about.

Mr. Hostetler stated it would be from instance to instance. He stated that based off the rules of net metering by the PUCO, they were required to stay under 100% usage per kilowatt hours on an annual basis. Day to day and month to month, there would be potential for over-production.

Chairman Lytkowski asked Mr. Hostetler if the school would get credit for that if they put it back into the grid.

Mr. Hostetler stated that they did. He stated that they were eligible for net metering with the utility. He stated that since they met last month, he has received approval from the utility for the system and the installation.

The Chairman wanted to raise another question. He stated that googled Project Solar. He asked Mr. Hostetler if he was familiar with that.

Mr. Hostetler stated that he was not familiar with that.

The Chairman stated that Project Solar was an organization, Government sponsored, and it talked about the amount of sunlight in given areas of the country. He stated that specifically Independence, Ohio had usable sunlight for the solar system, 1800 hours per year. He stated that it was roughly 6% of the total available hours in a given year. He asked if it would make sense to use only 6% of the sunlight that would be usable in the Independence area. He stated that was per Project Solar which was a Government sponsored program.

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Mr. Hostetler stated that would have to be answered by Kent State. He stated that he knew it financially made sense for them. He stated that he has seen the numbers, he has seen the payback on it. He stated that they install solar all over Ohio. They have more irradiance here. He stated that he thought Germany was the solar leader of the world. They have more solar installed than many other countries, and there was more irradiance in Ohio, specifically in this area here that would make it make sense for solar. He stated that they believe in solar. They believe in what it does, and they believe in a financial payback for the customer.

The Chairman stated that he was sure that Mr. Hostetler does. He stated that in Independence they have 10 solar panels as of October 2018 or 2019. He checked that out just for the record. The Chairman stated that furthermore Project Solar talked about more efficiency, a solar panel on the roof as opposed to on the ground.

Mr. Hostetler stated that he would challenge that a little bit. He stated that it would all depend on the angle on the roof, the way it was oriented; and in this case they were going to put them facing nearly directly south which is what they would want at an angle that would be favorable to capture the most solar radiance at any given point.

Chairman Lytkowski stated that if he read the information on Project Solar, and he stated that he was no expert. He stated that that Project Solar talked about the panels facing north which he did not understand that.

Mr. Hostetler stated that would be incorrect. He stated that it would only be applicable in the southern hemisphere. He stated that they would want it to point south here in Ohio or in any northern hemisphere location. He stated that basically the higher north you would go, the more tilt you would want to, the further south you would go, the more perpendicular to the sky you would want them. He stated that at the equator you would want them flat. He stated that here you would want them at an angle towards the south.

Chairman Lytkowski asked Mr. Hostetler what else he wanted to tell the Planning Commission about the project. The Chairman stated that he had no more questions.

Mr. Hostetler stated that he didn't have much more to add. He stated that in the last month he took the Planning Commission's request of trying to screen the panels and ran with it. He stated that he thought he had a pretty viable solution.

Chairman Lytkowski stated that he wanted to talk about the screening on the diagram. He asked what that would tell the Planning Commission.

Mr. Hostetler stated that he didn't understand the Chairman's question.

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The Chairman stated that he wanted Mr. Hostetler to tell him about the screening. He asked what kind of trees they would have. He asked if the City Planner Jeff Markley looked at the plan.

City Planner Jeff Markley stated that he had not seen a plan.

Chairman Lytkowski stated that he wanted to get the City Planner's professional opinion on the plan to be totally honest.

The City Planner stated that he understood that.

Mayor Kurtz stated that it could be approved subject to the City Planner's approval.

Vice Mayor Grendel asked if everyone had the picture of where the solar panels would be located in relation to the building. He stated that it showed the ODOT property and the off ramp, and it would show the ODOT fence.

City Planner Markley stated that he had a copy of that.

Vice Mayor Grendel stated that he thought what Mr. Hostetler was saying, the trees will be on the outside of the fence on ODOT property.

The Chairman stated that he was not too sure that they could plant on ODOT property unless they would give their approval.

Mr. Hostetler stated that both he and his landscaper have been in contact with ODOT about it. They would have to apply for a permit to do so. He stated that his notes stated that was the suggestion last month. He was to look at planting some type of tree that would have a low shading impact on the ODOT side of the fence. He stated that was what he has come back with.

Vice Mayor Grendel stated that he thinks that would then satisfy what the Planning Commission's concern was as far as from the aesthetic standpoint. He stated that coming down the ramp going onto I-480, either east or west, you would not be able to see those panels on that grassy area. That is what he would think. He stated that he thought that was an issue for the Planning Commission.

Chairman Lytkowski agreed. He stated that the Vice Mayor made a good point. He stated that if someone was driving down the I-480 ramp, would they be distracted by the panels. He asked if there was a safety issue involved there. He stated that he didn't know.

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Vice Mayor Grendel stated that he could compare like at Lordstown where they were making those electric trucks, he stated that they have a whole array of panels just like this, probably more numerous. He stated that since the turnpike was a little bit higher than the Lordstown plant, you could see those if you were driving west. He stated that it could be distracting if you were wondering what they were. He stated that they have been there for quite a few years, so evidently there hasn't been any problem. He stated that there was no screening on the turnpike for those panels.

Chairman Lytkowski asked Mr. Gutermuth if he had any comments.

Mr. Gutermuth stated that he felt that the Planning Commission's primary concern was on the visibility from the highway. He stated that it sounded like that has been addressed. He stated that personally he was all for the green energy. He stated that it sounds like Mr. Hostetler has addressed the Commission's concern. He stated that he got the sense that there was likely some sort of financial incentive for the university, whether it would be State funding or grants or Federal funding or what have you. He stated that so long as the Planning Commission's motion today would be subject to or contingent upon the landscaping being placed and getting the permit from ODOT, he would have no problem approving it today.

Chairman Lytkowski asked the Vice Mayor for any comments.

Vice Mayor Grendel stated that he would agree with Mr. Gutermuth. He didn't think there would be any problem. He stated that if they would have proper screening, and if ODOT would approve that. He stated that he thought he read somewhere that it would be a 4 or 5 year payback that the school will have, and 27% of their energy will be from the solar array. He stated that he thought the main thing would be that as long as it would not be a distraction to the drivers, and it would not be unpleasing aesthetically, he thinks it would meet their standard. He stated that he didn't know how the Mayor felt about that.

Mayor Kurtz stated that he agreed with Mr. Gutermuth's comments. They were spot on, and he also agreed with the Vice Mayor. He stated that they addressed the issues that were brought to their attention last month relative to visibility. He stated that if they would just make a motion whenever they would be ready subject to the City Planner's review, he would be comfortable with that.

Chairman Lytkowski stated that he would be comfortable with that also. He stated that he totally agreed.

Mr. Hostetler stated that he had invited Mr. Robert Misbrener from Kent State as well as Greg from Brewer Garrett who contracted him. He stated that he didn't know if they would want to make a comment.

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Mr. Robert Misbrener from Kent State stated that he was very pleased with the way that Mr. Hostetler laid out the plan, and they were very excited to get it installed here in the City of Independence. Mr. Misbrener stated that from the standpoint of showing sustainability for the campus, and it will also reflect very nicely for the City of Independence, people driving through there. He stated that one other thing for the aesthetic issue, they will be also planting native pollenators in the array area, and that will attract honey bees and other beneficial insects to the area further improving the entire eco-system of Independence and their campus.

Chairman Lytkowski stated that it sounded good. He asked if there were any other comments.

Mr. Misbrener stated that they also had a system installed at their fieldhouse. He stated that it had been there since 2012, and with respect to the question about economic viability and consistency, it has been making 500,000 kW hours of electricity every year pretty consistently since that time. He stated that it has been a large improvement to the campus and a reduction in their footprint. He stated that this panel system here at the Podiatric Medicine building will reduce their carbon footprint by 271 tons, which was about 93 passenger vehicles per year, every year.

Chairman Lytkowski asked the facility at Kent State fieldhouse, was it on the roof or the ground.

Mr. Misbrener stated that was a good question. He stated that it was on the roof, and the reason for that was simplicity. It actually faced directly south which was very handy, and it was a standing seam metal roof which means they could just clamp the solar panels on there. He stated that the Podiatric Medicine building was not like that at all and has too many inflections on the roof as Mr. Hostetler stated to get any kind of substantive impact in electric usage.

Chairman Lytkowski asked if there were any other comments from the applicant.

Vice Mayor Grendel stated that he thought the location made sense too because with the gazebo there, it was like a picnic area for the students to have some rest and relaxation. He stated it would make sense to put it where they were putting it.

The Chairman stated that he totally agreed. He just mentioned that area because he recalled the David Nicolanti. The Chairman told him to make it a green space, he remembered that. He stated that he would entertain a motion, but he would like to make sure they would have two caveats in it.

City Planner Markley stated that he had a couple of other comments. He stated that the plan reflected a 7 foot chain link fence basically on three sides of the property, adjoining

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the ODOT fence or connecting to the ODOT fence. He stated that the plan indicated the fence going right up to the pavement on the private drive that would serve the Podiatric college. It was not a public, dedicated road. He stated that it was right up against the pavement, at least the line depicted on the plan shows that. He asked if there was any room for setting that fence back away from the pavement so that plows would not be connecting it or that type of thing.

He stated that the material of the fence would be galvanized. He asked if it would be a black material, the rubberized materials so it would not just be a metal gray fence which might detract from the appearance of the college itself.

He stated that also with respect to the placement of the panels and the sight line to the monument sign. He stated that he was not sure if they looked into that relative to how the panels were currently situated, and if that would affect their sight line for those on the on ramp that might have an interest in knowing that was the Podiatric college.

He stated that the last question would be the dimensions and placement of the inverter that they use as a direct pipeline to the grid. He stated that he didn't see where the placement on that was on the plan, and whether or not that needed to be screened or if that was smaller in dimension relative to the panels.

Mr. Hostetler stated that he could address some of those. He stated that the fence was moved back off of the road there. He stated that there was an easement for telephone wire. He stated that the fence would be about 15 feet off of the drive so he believes that addresses the concern there.

Mr. Hostetler stated that the fence was galvanized in nature. He stated that it would be a typical metal galvanized fence that will match what the ODOT fence would look like as well. He stated that it would be higher to meet any type of electrical code requirements. So, that would be the fence.

Mr. Hostetler stated that he would let Mr. Misbrenner talk about the sign, but they did take that into consideration. They pulled it down as far south as they could to mitigate covering that sign as much as possible.

He stated that the inverters themselves, they were a little smaller in nature than some of them that have been seen at large solar fields. He stated that there will be four of them, and they would be pad mounted. They would be right behind the most northern array to the right side. He stated that it was in very small print, but on the layout drawing that he provided, you could see some boxes that would be to the northeast corner of that page. He stated that there would be four boxes and then a combiner panel that will combine all those feeds into one and then bore over to the building. He stated that they actually

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shouldn't be seen much unless you would be right on the property there driving up the road. He stated that they would be hidden by the panels themselves.

City Planner Markley thanked Mr. Hostetler.

Chairman Lytkowski stated that with respect to the chain fence, he asked if that was a sufficient answer or would the City Planner prefer to have a black coating on the fence.

City Planner Markley stated that if it would be a private, and the public wouldn't be traveling along that road other than to just reach Embassy or the Podiatric; and the college would be comfortable with just a standard chain link fence that would be fine. He stated that it would be fitting all the good work they have done relative to improvements and landscape and the building standards, black may be a more appropriate fit. He stated that it would not be substantially more costly to do; and it would also provide some degree of rust protection over time. He stated that they could still go galvanized with the rubberized coating, much like they would find in cemeteries, tennis courts, things like that. It was just a thought.

The Chairman stated that was a good point. He asked Mr. Hostetler what his thoughts were about that.

Mr. Hostetler stated that he would have to look into the pricing and see if they could make that work.

The Chairman asked the City Planner if that answered all of his questions.

City Planner Markley replied yes.

Chairman Lytkowski asked the Law Director for a motion, and he would like three things in the motion. He wanted to have the City Planner should have an approval on the final landscaping for the project. He stated that he thought a quick phone call to the safety forces to make sure there would be no distraction going off the I-480 ramp onto I-480. The third thing would be the galvanized fence, to have Kent State check that out accordingly to see if it would make sense financially and economically. The Chairman stated with those things, he would be satisfied.

Law Director O'Brien stated that he thought the galvanized fence could be included in that landscaping plan that would be reviewed and must be approved by the City Planner. It would be all encompassing there.

Chairman Lytkowski replied thank you, fair enough.

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Law Director O'Brien stated that it would be a motion to approve the application and request of Kent State University, subject to review and approval by the City Planner a landscaping plan, including but not limited to, fencing and tree plantings as presented by the applicant and review and approval by City safety forces.

The Chairman stated that was correct. He asked the Mayor if he had anything else to add.

Mayor Kurtz stated that he did not have anything else to add. It sounded good to him.

A motion was made by Mayor Kurtz, seconded by Vice Mayor Grendel, to approve the application and request of Kent State University, subject to review and approval by the City Planner of the landscaping plan, including but not limited to, fencing and tree plantings as presented by the applicant and review and approval by the City safety forces.

**ROLL CALL: Yeas: Kurtz, Grendel, Gutermuth, Lytkowski
 Nays: None
 MOTION CARRIED**

Chairman Lytkowski stated to Mr. Hostetler that he appreciated him coming back to the Planning Commission and wished him good luck on the project. He stated that they were happy to have Kent State University as a good resident of the City of Independence.

City Planner Markley stated that he had a quick thought on the ODOT approval. He asked if that was something that the City would need to be aware of or just recognize that it would be the only way that there would be plantings in place.

The Chairman stated that he wanted to do it right. He wanted to have everything buttoned down.

Law Director O'Brien asked if they were talking about the consent that would be required because of the distance to a State highway.

Chairman Lytkowski stated that he thought that was what the City Planner was referring to.

City Planner Markley stated that there would be a permit required to be able to place something in the State right-of-way, and he thought Mr. Hostetler was referring to that. He stated that he didn't know if the City needed to be a party to it at all.

Several people replied no.

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Law Director O'Brien stated that the Building Official mentioned that before, and he would look for it. It would be okay.

City Planner Markley stated that he was just throwing it out there.

Chairman Lytkowski stated that they had a motion, they had a first and second. He asked if there was a Roll Call.

The Mayor stated that there was a Roll Call.

The Chairman thanked Mr. Hostetler again. He wished him continued success.

The Chairman asked if there was any other business before the Planning Commission.

There being no further business, the Planning Commission meeting of October 6, 2020 was adjourned at 6:12 p.m.

Chairman Dale Lytkowski

Debi Beal, Planning Commission Clerk
Minutes Unapproved at Time of Release 10/07/20