

**VILLAGE OF EVENDALE
PLANNING COMMISSION MEETING MINUTES
February 15, 2022 6pm
EVENDALE MUNICIPAL BUILDING
10500 READING RD.
EVENDALE, OHIO 45241**

The Regular Meeting of the Evendale Planning Commission (EPC) was called to order by Chairman Chris Patterson at 6pm on February 15, 2022. Attending were EPC members Chris Patterson (Chair), Arnie Shay and Beth McDaniel. David Elmer, Director of Administrative Services; Tim Burke, legal counsel; Mark Elma, Building, Planning and Zoning Manager; and, James Jeffers, Service Director, were also in attendance. Committee members Kevin Gorsuch and Janelle Moore were absent

New Business – Duke Energy Concept Renderings for New Natural Gas Regulation Station at 3520 Glendale-Milford Rd. in a Residential Zone.

Chad Shaffer and Jamie Olberding, both Duke Energy employees, were present representing Duke.

Chairman Patterson opened the meeting by asking Law Director Burke to explain the legal aspects of public utilities. Mr. Burke noted that public utilities have specific rights and authority to perform utility-related projects in any zoning district. Burke further noted that while a public utility had some responsibility to explain their development plans to local officials, no particular decisions or formal approval were required of a Planning Commission (PC); however, a PC could make project suggestions and comments. Mr. Elmer noted that Mr. Shaffer emailed him referencing several legal means and authority, including ORC section 713.02, that enables public utilities to construct public utility projects regardless of zoning.

Mr. Elmer placed 23 of the 35 total plan pages on an overhead screen for review. Elmer noted that a link to a shared folder containing all plan pages was emailed to the EPC prior to the meeting.

Mr. Shaffer proceeded to introduce himself and Mr. Olberding, project manager. Shaffer noted that Duke purchased the property located at 3520 Glendale-Milford Rd for a public purpose. Shaffer stated that he and Mr. Olberding met with Mayor Finan and Service Director James Jeffers to make the Station look as residential as possible including the use of brick for all building exteriors. Patterson asked Shaffer to describe the functional relationship of the Station as it relates to the recently installed Central Corridor gas pipeline that runs down the middle of Glendale-Milford Rd. Olberding explained that the new gas line crosses with an existing gas line within immediate vicinity of the subject address. Olberding explained that the existing gas line has been in service since the 1940's and travels through an Evendale residential neighborhood. The proposed new Station will help improve gas service and system efficiency. Olberding stated that the Station is larger than typical due to the pipeline gas pressure which can result in noisy operations; therefore, Duke is opting to

47 enclose the Station in residential-looking buildings in an attempt to push the noise towards
48 the street. The multiple buildings that make up the Station will be enclosed by a wrought-
49 iron style fence, instead of chain-link. Olberding further stated that Duke would try to leave
50 as much vegetation on site as possible; however, several trees would have to be cut down.
51 Duke included a landscape plan, as part of their submission, showing several new trees
52 installed throughout the lot. New materials will be native to the area. Mr. Elmer referenced
53 these plans on the overhead screen. Olberding concluded by stating that Duke would provide
54 Evendale with access through their property, using their driveway, to the Village's park pond
55 which is situated on the lot north of the proposed Station.
56

57 Chairman Patterson asked Mr. Jeffers to provide input on the interaction that he and Mayor
58 Finan have had with Duke regarding this project. Mr. Jeffers confirmed that he and Mayor
59 Finan met with Mr. Olberding and Mr. Shaffer, and other Duke staff, on at least a quarterly
60 basis regarding the Central Corridor pipeline project; then, on a monthly basis during
61 pipeline construction. The proposed Station was brought up by Duke at some point during
62 these meetings with initial renderings drafted as early as Sept./Nov. 2020. These renderings
63 were shared with Village Council, as well as with neighboring property owners, at that time,
64 which resulted in several questions and concerns about the proposed Station, mostly related
65 to potential sensory/nuisance impacts.
66

67 PC members asked about potential volume, type and frequency of sound emissions from the
68 proposed Station. Mr. Olberding explained that the sound would equivalent to a low
69 continuous engine. Mr. Olberding did not have projected decibel levels. Chairman Patterson
70 asked Duke to provide a written explanation with greater detail regarding potential sound
71 emissions. Mr. Shay asked if Duke workers were required to wear protection on site due to
72 sound volume? Mr. Olberding responded by saying that all Duke employees are required to
73 wear protection inside Stations as a matter of general practice.
74

75 Mr. Elmer asked about exterior lighting and whether or not it would be on at all hours of the
76 night and/or if light fixtures would be downcast or screened to avoid glare and light spill onto
77 neighboring property? Mr. Olberding noted that lights may be on at night but that Duke
78 would make sure such lighting did not cause glare or spillage onto neighboring property.
79

80 Mr. Elmer asked if Duke planned to store any materials outside. Mr. Olberding stated that
81 Duke did not plan to store materials outside.
82

83 Mr. Elmer asked how Duke planned to codify an agreement to allow Evendale access onto
84 the site? Mr. Jeffers and Mr. Olberding noted that they had not yet discussed this but will
85 work with legal counsel to create an agreement.
86

87 Ms. McDaniel expressed concerns about security and site access. Mr. Shaffer and Mr.
88 Olberding noted that all Station buildings would be locked at all times when not in use and
89 that each building would have non-breakable glass windows. They also pointed out that all
90 the buildings will be enclosed by a fence.
91

92 Mr. Elmer asked if there would be any signage or advertisement on the site? Mr. Olberding
93 stated that there would be none.

94
95 Mr. Shay expressed concern about potential negative impacts on immediate neighbors. Mr.
96 Jeffers noted that he had direct contact with Mr. Gillan and Mr. Frisby who reside on either
97 side of the proposed Station. Mr. Jeffers noted that both had questions and concerns that he
98 believed were met with satisfactory answers; however, both property owners would be
99 monitoring the project during and after construction to determine what, if any, problems
100 arise. Mr. Shaffer and Mr. Olberding both stated that Duke was committed to working with
101 the neighbors and Village on resolving any issues that may arise during or post construction.

102
103 Mr. Olberding stated that the project is currently out for bid with bids due the 2nd or 3rd of
104 March 2022. Duke anticipates starting construction in April with an anticipated completion
105 date in the Fall of 2022. Duke noted that the project contractor will be required to bus
106 workers in and out of the site with no on-site parking.

107
108 Mr. Shay asked if any other sites were considered for this project? Mr. Olberding stated that
109 no other sites were considered because the subject site was already strategically located to
110 meet their gas regulation needs because of its immediately proximity to two gas lines and
111 that the site became available for sale at the time they needed it.

112
113 Mr. Olberding noted that the proposed Station is a significant upgrade from the existing
114 facilities across the street, which are not enclosed.

115
116 Mr. Elmer noted to EPC that he was aware of previous interest in the site by residential
117 developers; however, all wanted a denser development than code permits.

118
119 Mr. Jeffers reminded the EPC that the site was home of Robert Griffin who donated the land
120 behind his residence for the park that exists today in his name. When Mr. Griffin passed
121 away, the Village was a recipient of a portion of the proceeds from the sale of his estate.

122
123 Mr. Patterson asked if Duke would be willing to work with the Village on noise problems
124 should they arise in the future? Mr. Shaffer stated that Duke would be happy to work with
125 the Village on resolving noise problems.

126
127 Mr. Patterson asked if Duke would consider installing “No Trespassing” or “Do not Enter”
128 signs on site? Mr. Shaffer stated that Duke prefers to keep its sites “low profile”; therefore,
129 they were not planning to install such signage but would do so if needed.

130
131 Mr. Patterson asked if there would be any type of site identification signage? Mr. Shaffer
132 stated the only signage on the site would be the Station Name and Number on the gate.

133
134 Mr. Shafer advised that he would get back to the Village soon with answers to EPC
135 outstanding questions.

136
137 No further action or motions were made by the EPC regarding the proposed Station.

Internal Business

The EPC reviewed the Meeting Minutes for their December 21 2021 meeting.

A Motion was made by Ms. McDaniel, seconded by Mr. Shay, to approve the December 2021 meeting minutes. The motion passed by unanimous vote.

The EPC reviewed the Meeting Minutes for their January 18, 2022 meeting.

A Motion was made by Mr. Shay, seconded by Ms. McDaniel, to approve the January 2022 meeting minutes. The motion passed by unanimous vote.

No other business was brought before the EPC

A Motion was made by Ms. McDaniel, seconded by Mr. Shay to adjourn the meeting. There was no discussion. The motion passed by unanimous vote.

The meeting adjourned at 7:20pm.

Minutes reviewed and approved by:

Chris Patterson
Chairman, Evendale Planning Commission

Janelle Moore
Secretary, Evendale Planning Commission

Draft Minutes prepared by David Elmer, Director of Administrative Services