



CICERO/JACKSON TOWNSHIP PLAN COMMISSION

BZA-012-01-AG Seventh Day Adventist

BZA Meeting Minutes

January 20, 2022

7:00 p.m.

Roll Call of Members

Present:

- ☐ Mike Berry
- ☐ Scott Bockoski
- ☐ Liz Foley-Nelson
- ☐ Dennis Schrumpf
- ☐ Steve Zell
- ☐ Aaron Culp - Legal Counsel (arriving soon)
- ☐ Frank Zawadzki - C/JT Plan Director
- ☐ Terri Strong- Recorder
- ☐ Dan Strong

1. Declaration of Quorum: Chairman Bockoski declared a quorum with all five members present.

2. Approval of Minutes:

Mr. Schrumpf made motion to approve minutes with corrections of "page four Saltwater Board should be Stormwater Board and last page should be Mrs. Foley-Nelson" from meeting on December 23, 2021. Mr. Zell second. All present in favor.

From Recorder Terri Strong: Upon further review of recording of December 23 minutes, the term of Saltwater Board was used because the public speaker Doug Quear referred to it as such. This recorder does not correct terms used by individuals but records what they say.

3. Old Business: None

4. New Business:

Chairman Bockoski stated New Business includes elections of officers of Chairman, Vice-Chairman, and Secretary. Chairman Bockoski proposed moving this agenda item to the second position after the docket has been reviewed.

Mr. Zell made motion to move the election of officers in new business, to after the docket portion of the meeting. Mr. Berry second. All present in favor.

Docket #: BZA-0122-01-AG

Petitioner: Indiana Association of Seventh Day Adventist

Property Address: Located behind 25150 State Road 19, Arcadia, IN 46030

A Special Exception Use application has been submitted concerning Article 3.1 of the Cicero/Jackson Township Zoning Ordinance: To allow construction of a solar farm behind the Hamilton Heights Middle School.



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Chairman Bockoski asked if petitioner is present.

Andrew Wort with Church, Church, Hittle and Antrim, Noblesville, representing IASDA school system. Plans to install solar farm for use by Hamilton Heights, middle and elementary schools. Other locations mentioned as example: Hwy 37. Mr. Wort shared that there is a lot of natural screening for this location. Presenting because ordinance classifies schools as a Special Exception, represents a change to the site plan for the school system. Bids accepted last week, school board review next week, legal notice has been done per ordinance. Chris Bacardi or I can answer questions.

Mr. Zell questioned if land has been leased, and is it a long-term lease, what is the relationship been with Seventh Day Adventist and the school system. .

Chris Bacardi Just entered into a long-term land lease with Seventh Day Adventist on November 1, 2021, for 25 years. Approved at meeting in December, lease needed to be as long as the life of the solar panels. Mr. Zell stated there are several examples, including Beck's Hybrids in the area. What size classification would this farm be, small, medium, large? Chris Bacardi not sure how to classify small, medium, or large, however will be one megawatt field. Will appear to be one field, however middle school section is larger. Maximum allowed in space is one megawatt. Mr. Zell asked Plan Director or Mr. Strong if there is any concern/comment for the size. Understanding we do not have an ordinance, but the County does, does this fit within their ordinance. Mr. Zawadzki stated we do not currently have an ordinance on solar farms, however in talking to the County we would classify as a medium size facility. In discussion with County to get further information. Mr. Culp shared that the County does not have a standards ordinance for solar fields. And actually, declared a moratorium on commercial fields greater than .25 acres because they do not have a standards ordinance in place. Mr. Zell brought up the wind turbine ordinance and inclusion of a decommission plan. Mr. Culp stated he anticipated the County would include a decommission plan. However, does not apply to this type of single project. Upon question, Mr. Culp stated could include that as a condition if desired. Mr. Zell suggested to Chairman Bockoski that a decommission plan be included in motion and in any ordinance regarding solar fields the town would adapt.

Mr. Berry asked for clarification—did you indicate the life of the field is 25 years. Ms. Bacardi said yes. Mr. Berry then indicated the lease and use would end after 25 years. Ms. Bacardi stated the land lease use has language to extend if needed. Mr. Zell asked given the location, do not see a security fencing. Ms. Bacardi stated it is included in both projects. Mr. Zell asked who would be responsible for the maintenance of the fields. Ms. Bacardi stated it is part of the agreement they would maintain the area; a slow growing grass would be part of the fields. Chairman Bockoski circled back to the decommission piece of discussion, is this something that has been considered by the group. Ms. Bacardi questioned what was meant by decommission, to return the land back to their original state if the fields were removed. Chairman Bockoski stated when the school outgrows or has to be moved, what would happen to the solar fields. Ms. Bacardi answered with this location in particular, there is language in the agreement with Seventh Day Adventist to return the land to their prior condition before the installation of the solar fields. If there is something new in 25-30 years we are prepared to remove and return land to prior use.



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Mr. Zell made motion to open public hearing for this docket. Mrs. Nelson second. All present in favor. No public present.

Mr. Zell made motion to close the public hearing. Mrs. Nelson second. All present in favor.

Discussion among Board on decommission process. Chairman Bockoski asked if a six-month required removal would be agreeable or gives a hardship. Ms. Bacardi answered as a lease agreement, seems reasonable to expect removal in six months as looking at a six month install. Mr. Schrumpf asked if discussion on purchasing land by Hamilton Heights in the future. Ms. Bacardi stated that was our original plan, they chose not to sell did agree to language for first right of refusal if was to be sold in future.

Mr. Zell made motion to approve BZA-0122-01-AG as presented with the condition that in any event where usage is not required or used by the solar farm, decommission would take place to return the land to the prior condition within six months of stoppage. Mr. Berry second.

Mr. Berry-approve, Mr. Schrumpf-approve, Mr. Bockoski-approve, Mrs. Foley-Nelson-approve, Mr. Zell-approve. 5-0

Chairman Bockoski moving to next item which is election of officers, Chairman, Vice-Chairman, and Secretary. Mr. Zell commend Mr. Bockoski on the job he has done, as well as Mr. Schrumpf, and Mr. Berry, if it isn't broke don't fix it. Chairman Bockoski asked for others to throw hat into the ring.

**Currently Chairman is Mr. Bockoski, Vice-Chairman is Mr. Berry, and Secretary is Mr. Schrumpf.
Vote of maintaining status quo with current slate of officers. Aye's-5, Nay's 0.
Current slate of officers will remain.**

5. Plan Director's Report: Mr. Zawadzki gave summary of directors' report. For month of December 2021 revenue of \$11982 ytd \$164900. Up for year \$71463. 27 building permits issued for.

Individual reporting included; Chairman Bockoski thanked Mr. Zawadzki for that. Mr. Strong stated nice to report that revenue exceeded expenses for the first time in many, many years.

6. Chairman's Report: Chairman Bockoski requested items to be in print for the Board to review and discuss next meeting. Last meeting discussed withdrawing the public speaking portion of the meeting from the agenda. The ones that do not pertain to items not on the docket. Want to state for the Boards review, whether items are necessary or not, if wording needs to be changed, this preamble would take place after declaration of quorum, to be added in each meeting agenda.

A. BZA is a quasi-judicial branch of local government and Board would be reviewing items on docket and issues to consider are listed on Dockets.

B. All comments and discussion should be directed to the board members.

C. All in attendance need to sign in, if planning to speak.



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- D. When speaking each attendant should state name and address for the record and each time when speaking at podium.
- E. Each item has public hearing each one. (This may want to strike)
- F. Each person does not need to restate points previously given, just agree or disagree for respect of time.
- G. In the case of subdivision, plans have been approved by Plan Commission, and items such as drainage, road cuts have been approved by appropriate boards. They are not up for discussion by this Board.

Chairman Bockoski stated he would like to have these captured in the minutes for discussion at the next meeting.

7. Legal Counsel's Report: Mr. Culp stated as mentioned earlier, anticipate next month declare a moratorium similar to the County's, while doing the work and creating plans/rules for the solar fields. To prepare in the case of a project coming to the Board, having set architectural standards for items such as setbacks, fencing, landscaping, decommissioning, size. The Town is working on next update to the Comp Plan, and zoning ordinance updates by the first half of this year, adding this would be timely. Town has been approached about creating an overlay district for the east side of 31. The County controls the west side. The county is looking at creating a half mile zoning district, what would and would not be allowed, to prevent the white boxes, targeting commercial and light industrial. The County is looking to set the standards and have reached out to work with Cicero to have the same or similar standards. County is building water treatment and sewer plants all the way to Reynolds, expecting this will spur development along this area. So, they are wanting to get zoning in place. Anticipate in the next couple of months. While Frank and Dan have been invited to meetings, Cicero and Jackson Township have control over what is planned in this jurisdiction.

Mr. Zell questioned if Mr. Culp said Comp Plan is up for review and when was the current comp plan completed. Answer was 2014-15. Mr. Culp stated ideally every 7-10 years updated. Mr. Zell questioned if the Plan Commission is charged with this responsibility. Mr. Culp stated the Plan Commission oversees the process; in the past a consultant has been hired. There is a number of public hearings and then a plan is developed.

Chairman Bockoski questioned the giant white boxes comment, the warehouses visible with lots of semis. Mr. Culp stated yes, the ones with no windows all look the same. If it goes the way they want, anticipate targeting agriculture businesses.

Mr. Zell asked who drives the process regarding what happens on east side of 31. Is that the plan commission? Mr. Strong answered we will see how the process flows, and what they propose. Then we will bring back to the Plan Commission, instead of reinventing, use the good and our ideas to create what happens on the east side. Probably initiate some rezoning, standards for 236th street as well.

- 8. Board Member Comments: No additional comments.
- 9. Next Planned BZA Meeting: February 17, 2022
- 10. Adjournment: Mr. Schruppf made motion to adjourn. Mrs. Foley-Nelson second. All present in favor.



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

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Chairman: _____

Secretary: _____

Date: _____

Location:

Red Bridge Park Community Building
697 West Jackson Street
Cicero, IN 46034