

**City of Huron
Planning Commission/DRB
November 20, 2024, 5:00 P.M.**

The meeting was called to order at 5:00 pm. in the Council Chambers at Huron City Hall, 417 Main Street by Chairman Gary Boyle. Members in attendance: Jim Hartley, Mark Cencer, and Tim Sowecke. Members absent: Sam Artino. Staff in attendance: Administrative Assistant Christine Gibboney.

Adoption of Minutes (9-5-24)

Motion by Mr. Cencer to approve the minutes of 9-5-24 as presented. Motion seconded by Mr. Sowecke. All in favor, motion passes and minutes approved.

New Business

Address: 204 Rye Beach Road PPN 43-00177.000 Current Zoning: R-1A

**Owner/Applicant: Robert Ribnicky, Owner
Applicant- Power Up Renewable Energy**

Subject Matter/Background

Applicant is proposing to install a 4.100KW roof mounted solar panel system. The system consists of ten (10) panels. The proposed roof mounted solar panel system contains 10 panels, roof array area=199.93 sq. ft. to be installed on the pitched roof of a single-story residential structure.

- *The total roof area is 1304.99sq.ft.; roof area covered by the array is 15.320%.*
- *The panel attachment detail reflects less than a 6" rise from the roof to the top side of the panel (18' max per the code).*
- *The code requires that the system shall not be located within 12" of the edge of the roof, as proposed the system meets this requirement.*

The home is located within a neighborhood that has an HOA; however, the association is limited to the private park maintenance and use.

Mr. Boyle introduced the case and reviewed the application for roof mounted solar panels, noting compliance with the code.

Applicant/Owner Comments: None

Motion by Mr. Sowecke to approve the site plan as presented. Motion seconded by Mr. Hartley. Roll call on the motion:

Yeas: Sowecke, Cencer, Boyle, Hartley, (4)

Nays: (0)

Abstain: (0)

With a majority vote in the affirmative, motion passes and site plan approved as submitted.

Address: 944 S. Main Street PPN 42-00710.000 Current Zoning: B-3

Owner/Applicant: Mike Solberg and Tom Solberg Jr.

Subject Matter/Background

Applicant is seeking to construct a new 68 x 164 heated boat storage building on their parcel in the same general location as similar existing storage buildings.

The proposed 11,152 sq. ft. heated boat storage building will have a building height of 30', and the parcel exceeds the required min. frontage satisfying the requirements Section 1125.03 for the site plan. Staff consulted with the Fire Department for any comment/input on the distances between the buildings and have been advised they have no concerns as proposed. The exterior of the building will be blue, with white trim, doors, and awnings to match existing buildings. Exterior lighting shows downward shielding.

Brief discussion ensued regarding potential conflict of interest for Mr. Boyle and Mr. Hartley due to their friendship with the applicant. Mr. Boyle noted there is quorum with four members present, however, there will be two voting members remaining to take action. Mr. Boyle referenced legal advice in the past that had concluded the board can still take action with the remaining members voting.

Mr. Cencer noted the site and design plans are compliant, and he had no issues as presented.

Applicant/Owner Comments: Mike and Tom Solberg were in attendance.

Motion by Mr. Cencer to approve the site and design plan as presented.

Motion seconded by Mr. Sowecke. Roll call on the motion:

Yeas: Sowecke, Cencer, (2)

Nays: (0)

Abstain: Boyle, Hartley (2)

With a majority vote in the affirmative, motion passes and site and design plans approved.

Motion to set a Public Hearing: Amendment to the Turtle Bay Condominium R-3 PUD Development. (December 18, 2024) at 5pm.

Mr. Boyle noted that while this is a minor change being requested, it must go to a Public Hearing. Members noted they would be available for that date.

Motion by Mr. Sowecke to set a Public Hearing on December 18, 2024 for the review of an application to amend the Turtle Bay Condominium R-3 PUD. Motion seconded by Mr. Hartley. All in favor, motion passes and Public Hearing set for December 18, 2024 at 5pm.

Code Amendment Review- New Section 1131.11- Residential Lighting Regulations

Mr. Boyle thanked staff for the report. Ms. Gibboney recognized Mr. Matthew Waters of SSEG in attendance. Mr. Boyle inquired about what prompted this amendment. Ms. Gibboney explained that the department has had a few inquiries/reports over the past couple years with light trespass issues between neighbors, adding that City Council may have had some as well. She explained that staff was unable to help residents in resolving these issues as there is nothing in the code currently. Mr. Boyle commented that there are regulations for Commercial Lighting. Mr. Boyle referenced the staff report, noting that Council has already adopted the General Offenses portion of the code. Ms. Gibboney explained that the code will be used to remediate issues by having regulations in place to be able to issue notices and corrective action needed, and if the matter is not resolved, the matter will be turned over to the Police to handle through the General Offenses Code. Mr. Boyle referenced the staff report statement that the city would not be looking to issue violation for existing non-conforming lighting, noting either the city is dropping the hammer or not. Discussion about the proposed code and current lights on homes and garages that are not shielded or may have lumens that exceed the code.

Mr. Waters noted that City Council held a work session meeting on August 27, 2024 and they reviewed several other examples of legislation for light trespass, some of which were very detailed and complex and require staff having ways to measure lumens. He explained they drafted legislation to follow the Criminal Mischief Code and make it reasonable- trying to follow reasonable standards. He reiterated, as staff had mentioned, this code would be applied as complaints come in. He reviewed the proposed language, new and existing lighting, new lighting only, and exceptions- such as Holiday Light displays. All lighting must be fully shielded and directed downwards. Mr. Cencer commented that there is no permit required now for anyone installing an exterior fixture, Ms. Gibboney agreed and noted that there is not an intention to add such a permit. Mr. Cencer noted residents can buy unshielded lighting, so how would they know this code exists. Ms. Gibboney explained that staff will include language on the existing zoning application, which would apply to new builds or additions, to make the public aware of the code, but again, the purpose is to address light trespass complaints. A discussion ensued about getting this information out to the public via social media but being mindful to stress the reasoning behind the legislation. Mr. Sowecke asked about how many complaints were received, Mr. Boyle noted that apparently there were a few and Council held a work session to address. Mr. Sowecke referenced light issues with Mucci Farms, a brief discussion ensued about those issues that seem to continue. Ms. Gibboney did add that there is code specific to Commercial Greenhouses and a process in the code to address complaints, but that this code amendment is strictly for exterior residential lighting.

Motion by Mr. Sowecke to recommend to City Council that the Zoning Code be amended as presented. Motion seconded by Mr. Cencer. All in favor, motion passed and motion approved.

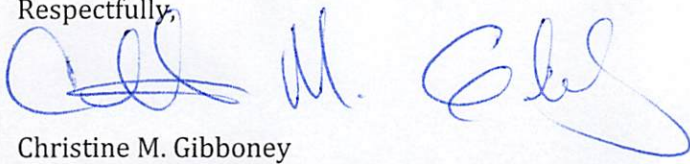
Other Matters

Mr. Boyle advised another senate bill has been introduced relative to restricting local government ability to regulate Transient Rentals- he advised that the draft he saw would eliminate the regulations that local government has in place. Ms. Gibboney noted that Legal Counsel is keeping an eye on this as well.

Mr. Boyle thanked and acknowledged the Solberg's and all local longtime businesses for their investments in the community.

With no further business, motion by Mr. Sowecke to adjourn. Motion seconded by Mr. Cencer. All in favor, motion passed, and meeting adjourned at 5:25p.m.

Respectfully,

A handwritten signature in blue ink, appearing to read "Christine M. Gibboney".

Christine M. Gibboney
Administrative Assistant

Adopted: Dec. 18, 2024