



Clintonville Area Commission Meeting Minutes

Thursday, December 3rd, 2020 7 PM – 9 PM

Recording available for viewing on ChannelClintonville.com

Commissioners in attendance: David Vottero, Brian Peifer, Libby Wetherholt, Judy Minister, Brittany Boulton, Kendra Carpenter, Michael Weinman, Jim Garrison, B.J. White

Commissioners with an excused absence: none

7:03 p.m. Call to order & formal welcome by Chairperson White

Welcome to your Clintonville Area Commission "...committed to the undertaking of the preservation of the values of the community through promotion, implementation and recommendation to city officials."

The CAC was empowered in 1974 by the Columbus City Charter to represent the Clintonville community in the discussion of community concerns. By City Code, the purpose of the CAC is to "...afford additional voluntary citizen participation in the decision making in an advisory capacity and to facilitate communications, understanding and cooperation between neighborhood groups, city officials and developers".

7:05 p.m. Commissioner Introductions and District Updates

District 1, Commissioner Vottero: I worked with a resident on Olentangy about a streetlight brightness issue in front of his house. There may be more issues like this as the City rolls out more new LED lights. I also reached out to the Department of Public Service about repainting the bridge at Glen Echo Ravine; the paint that has been used to cover up tagging does not match the existing paint.

District 2, Commissioner Peifer: I have assisted with a few 311 requests.

District 3, Commissioner Wetherholt: I also have a constituent with a streetlight brightness issue and will send them to 311. There were 16 deer in Walhalla Ravine, 14 does. Clintonville Woman's Club is doing Drive By Santa visits that are socially distant this Sunday from 1-3 PM. I am also updating my listserv because Yahoo Groups is ending their listserv.

District 4, Commissioner Minister: We have a constructive plan in place to alleviate the traffic at the Starbucks drive-thru, which Katherine Cull will share. Thank you to Libby and Planning & Development for the excellent survey that they put out to update the mobility plan.

District 5, Commissioner Boulton: I attended a training with the City on updating their new website for Area Commissions. I learned that we will actually have editing capabilities and the City is working to long-term migrate all Area Commissioners to this site so that it can serve as a one-stop shop. It is published in Wordpress, which is what we currently use, and is very easy to use. Please feel free to share content with me, Ty, or Commissioner Peifer if you have photos or other updates you would like published. I also attended a city training on receiving community input and brushed up on some community organizing skills. Finally, I reached out to the Sierra Club to learn more about the fracking powerplant activity on Ohio State University's campus. Their concerns are largely around increased greenhouse gas emissions and degradation of local air quality. I will send around information that their staff shared, which includes links to the State of Ohio Power Siting Board docket, as well as information about actions Sierra Club is encouraging (sending letters to OSU President Johnson expressing concern about the project). I will include as an addendum to this month's minutes.

District 6, Commissioner Carpenter: A young man in the district has been working with the City on getting a new street light in the Delawanda apartment area. *Chair White* noted that the mayor's proposed budget included a substantial appropriation for streetlights.

District 7, Commissioner Weinman: I received an inquiry from a gentleman who wanted to know whether he needed to come before CAC in order to allow overnight boarding at his grooming facility. I also wrote a letter to Council Member Favor due to her role as Chair of Public Service about getting sidewalks continuously installed from Cooke to Morse Road along Indianola. I also discussed the curbs near Watterson High School and informed her about neighbor concerns on Weisheimer about Blueprint Project concerns: rain gardens and flooding of ponds and houses.

District 8, Commissioner Garrison: Crime continues to be an issue, people testing car door handles to see whether they can steal. Someone's front door was recently opened and things were stolen from their living room. In our neighborhood Facebook page, a resident expressed significant personal problems and the neighbors all replied positively. There was a follow-up to the recent Blueprint meeting in which grass will be planted for certain rain gardens and the homeowners will be tasked with mowing if they are willing.

District 9, Commissioner White: Two weeks ago, I had a community meeting and it was well-attended. We discussed the incoming Aldi and the neighborhood is very excited about the new store coming and I have not heard one negative comment. Regarding the deer, it can be difficult to keep a vegetable garden and hostas, but neighbors peacefully coexist with the deer. I have seen fawns try to play with my cats. When people battle nature, they typically do not win. Our neighborhood has not had problems with the deer, and I do not say that to nullify the concerns of other districts. We had a productive by-laws change conversation and the people that live in District 9 feel very well communicated with because I had community meetings monthly for 3.5 years before COVID. I submitted our technology grant application and thank all the commissioners and chairs who met with me during one-on-ones. I also took part in the Ohio Wildlife sessions on urban white-tailed deer. I also attend another meeting today hosted by Sustainable Columbus and will have lots of content for our Tech and PR Committee.

7:35 p.m. Consideration of prior meeting minutes – Commissioner Boulton, Secretary

On November 25th, you received a PDF copy of the minutes and voting record from our November meeting. I have added the language that Commissioner Wetherholt shared after the meeting regarding the election of officers as an addendum. Are there any further edits to the minutes?

With no further discussion, Chair White, may I please ask for a motion that these minutes be approved?

Chair White moved to approve, Commissioner Vottero seconded. Passed 9-0.

7:40 p.m. Treasurer's Report – Kendra Carpenter, Treasurer

No updates since last month, no new reimbursements.

7:41 p.m. Katherine Cull – Neighborhood Community Liaison

We have finished the trainings for the new Area Commission website but we may offer more as some commissioners are still uncomfortable with it, so please reach out to me personally if you have any problems for now. Final training for 2020 for Area Commissioners takes place on December 12th regarding effective meetings. Registration closes December 11th. The Governor extended the emergency order continuing to allow virtual meetings through July 2021. Starbucks is going to try a Chick-fil-A approach during peak hours, which means employees will be coming out to the parking lot and taking orders on a pad at each car to decrease the drive through line and decrease traffic congestion. The City has noted that this has worked really well for Chick-fil-A.

7:45 p.m. Ann Henkener – CAC Election Committee Chair

Commissioners Boulton and Peifer both reached out with feedback. I reached out to learn about what other commissions do regarding petitions. University AC has a 30 signature threshold, Westland has 25, and I think we are in a good place there for a permanent change, but we may want to consider going longer for the upcoming year. I think we may be able to do this over e-mail. The University just had their election in November and they did it outdoor, in-person only in a parking lot with a tent. We could do a tent and two voting sessions, a Tuesday evening and Saturday afternoon as well to simplify everything. We can have curbside voting so that if people do not want to walk into the building or up to the tent, we could have the poll worker go to the car, slip a ballot to the car, they can show us their ID through the window. I think it is possible to do the ballot request form by mail, number the ballots (budget for stamps), and have a dropbox at the library. We will have a mockup at January and vote out at February.

7:50 p.m. Area Commission Technology Enhancement Program – Chair White

I met with all 6 committee chairs and 5 commissioners and received an email from a 6th, so I gathered consensus of 7/9 commissioners and submitted our application on time, by November 30th. All commissioners have a copy of the application and cover letter.

7:51 p.m. Zoning & Variance Agenda – Chair Stephen Hardwick

Our next meeting will be December 30th if we receive any applications this month. Moving it back a month gets too close to the holiday and moving it any further forward makes it too close to the following full CAC meeting.

BZA20-095, 3721 Weston Place. In order to build a 1 to 2 story addition to the rear and west side of the existing house, as well as to enclose and expand the existing rear porch, homeowners Thomas Decker and Suzanne Scholl ask for variances to 1) reduce the required rear yard from 25% to 15.6%, and 2) reduce the minimum rear-yard set back to 3' (while honoring previous commitment to plant screening along the specified rear yard). CC3332.27.

The original plan lapsed because the contracting became more expensive than expected. This is a corner lot, which is why rear and side yards are a little different. There was a lot of discussion about how the neighbors worked together and the committee was impressed with how they collaborated. Everyone seems to be content.

There are three conditionals – landscaping should be done pursuant to the original plan from last year. This needs to be attached to the Standardized Recommendation Form. Additionally, the windows should be above eye level or shaded (one is in a mudroom and one in a bathroom). The neighbor thought this would be a much better condition than the previous plan. There is concern that a future neighbor could try to turn the one-story section of the addition into a two-story, so we added a condition that this remains one story. The applicant is asking Oakland Nursery to do the landscaping and invited her neighbor to attend that meeting.

John Eberts, Architect was in attendance as well as Applicant Suzanne Scholl.

Commissioner Garrison: I remember that last time you applied, there was concern about exterior plumbing for the bathroom and it looks like that has been minimized. Are you satisfied with the changes that have been made from last time to now?

Applicant Scholl: We are going to gain a lot more space, which is why we transitioned to a new architecture plan.

Architect Eberts: Clarified that the proposed addition on the existing structure to the south of the existing building is the two-story area and to the west is the single-story area. That is also where the existing porch is that we are mimicking, which is setting the parameters for the work on the west side of the building, including the roof slope that is currently there.

Kathleen Stone, neighbor directly to the west who is most impacted by the addition. We are working together on this. We hashed through most of the questions and concerns during the

previous meeting. Many of our concerns will be at least partially mitigated by the landscape screening. Are we referring to the plan that was submitted on this approval request or the previous approval for the landscaping? The landscape plan on the current plan does not match the one attached to the BZA meeting. The length of the tree screening is not the same on the current site plan as it is on the variance approval from the first time.

Applicant Scholl: The BZA agreement that we both signed last time included the landscaping specifications proposed by Ms. Stone.

Chair Hardwick: The BZA will not be able to negotiate the details, so my suggestion is that CAC consider language “in the location indicated on the elevations presented at the Dec 3 2020 CAC meeting,” to be very clear.

Commissioner Wetherholt: The old version is invalid. Our only role here is to approve whether the yard setback can be moved to 3’ and the planting needs to be between the neighbors. I don’t have those choices in my neighborhood and I have lots of people looking into my backyard. We’re getting too far into the weeds.

Commissioner Vottero: I agree and I don’t think we can share a site plan from a different project. I will take it on good faith that the neighbors will work together.

Chair White: We are being asked to approve a variance for the rear yard setback to 3’ and to reduce the required yard from 25% to 15.6%. Our SRF will address the request. We will acknowledge that the neighbors are working on a mutually agreed upon site plan. Maintain a single story

Applicant Scholl: We are working diligently to make sure that Kathleen and Ted are comfortable with our landscaping screening, and we also have letters of support from all of our other neighbors.

Commissioner Vottero: Recommended CAC approve setback and include comment on the landscaping.

Commissioner Garrison: We approved this with the same condition and the wording was “condition to work with the neighbor to do landscape screening.”

Commissioner Vottero moved to approve, Commissioner Minister seconded. Passed 9-0.

8:19 p.m. Proposed Bylaws change as presented by Commissioner Mike Weinman

MAKER OF THE MOTION: Commissioner Mike Weinman for District 7 proposed a CAC Bylaws change on October 1st, 2020 CAC meeting, then tabled until the November 5th, 2020 CAC meeting, and then tabled until the December 3rd, 2020 CAC meeting. Commissioner Weinman moved to amend Article “V” Section “B”, By:

- A. Striking out “The Commission Chairperson, following the July annual meeting, shall appoint a chairperson for each of the standing committees established in accordance with these Bylaws. The chairpersons of the Planning and Development Committee,

the Historic Buildings Committee, Technology and Community Relations and the Zoning and Variance Committee shall recommend to the Commission members of those committees who may be Commissioners or non-Commissioners. The chairperson of the Election Committee shall recommend to the Commission members of that committee who shall all be non-Commissioners. The Commission shall approve the membership of the standing committees at the August regular meeting of the Commission. Appointments to the standing committees shall be for the period of one year until the next August regular meeting.”

- B. Inserting “Beginning June 1, the commission chairperson shall give notice that volunteers are needed for the standing committees in Section A. Volunteers shall submit a resume to the commission chairperson no later than July 1 and indicate which committee they would like to join and if they would like to be the chair of the committee. Commissioners are exempt from the resume requirement. One week before the August meeting, the commission chair shall submit the names of the selected committee chairs and members to the commissioners along with the supporting documentation. The commission shall approve the membership of the standing committees at the August regular meeting. Appointments to the standing committees shall be for one year until the next August meeting.”

The CAC Chair will ask if there is any further discussion. Upon completion of discussion, the Chair will call to question and ask if there is a motion to vote. There is 2/3 vote required to pass the proposed Bylaws change as presented. NOTE: The CAC Bylaws are published to the ClintonvilleAreaCommission.org under the “Documents” tab and in the file entitled “Current Bylaws”.

Katherine Cull, Neighborhood Liaison: There is no formal process for recruiting and confirming members in any of the other neighborhoods that responded. The Department of Neighborhoods does not advise this language because we are concerned it will disincentivize participation.

David Hooie from the Department of Neighborhoods does not know of any other commissions among the 21 Columbus area commissions with similar screening and would not recommend adding additional requirements.

Commissioner Carpenter: I respect what other commissions do, but we continue to be ahead of the game and could be here too. This is about setting us up for the future.

Zoning & Variance Chair Hardwick – By-laws should be submitted in writing at previous meeting so we need to present it again at the next meeting. Also expressed support for sharing statements of interest and creating a “best practices” resource for committee selection.

Chair White questioned the resume exemption for commissioners and confirmed commissioners could still serve on committees under this rule change, but without a resume requirement. She also did a roll call of all CAC members as to who had discussed this proposal with their constituents. No commissioner other than Chair White had a meeting on this issue and her 24 constituents want to know why the change is needed and what is not currently transparent. They also expressed that a resume/statement of interest is more work for volunteers. She also expressed confusion as to where there is a lack of transparency under current operations.

Commissioner Minister: I have been on the Commission for 5 years and recruited committee members and I remember a time when we had letters of interest. It was a best practice, not necessarily a by-laws change. I think that because of COVID, we did drop the ball and approve one last-minute add to the Planning & Development Committee. I have since watched meetings and this person is well-qualified and doing great work, but perhaps that triggered some of these suggestions. In the past, I did receive and value numerous letters of interest from various Clintonville neighbors.

Commissioner Wetherholt expressed concern that the current by-laws had other language that would negate or conflict with these suggested by-laws changes and referenced that she shared the current by-laws via e-mail (in November minutes addendum). She also expressed concern that there could be a changing CAC chair person amidst the recommendation process and the committee members being approved.

Commissioner Vottero: I am still not sure that an amendment to the By-laws is necessary. Perhaps there should be more turnover on the committees, but to me this seems like a solution in search of a problem. We can make lots of improvements by being more diligent about our search and outreach.

Commissioner Boulton: For me as a new commissioner, this proposed change allows us to know more about the names on the slate that we received during the summer meeting. That is the only problem that needs addressed to me. Sometimes we start this conversation and talk about bigger things like transparency and it feels personal, but to me this is simply about knowing more about the people who we are being asked to approve. We have great transparency and are well-known for that as an Area Commission. I did not know anything about the list we reviewed this summer and maybe that's on me for not engaging with those committees but I think a simple statement of interest would be appropriate before we are asked to vote.

Chair White: We should do a resolution that stands on file with the City as a document archive.

Commissioner Weinman: I am fine with a statement of interest rather than a resume, but I still want to move forward with a By-Laws change.

Commissioner Carpenter moved to amend the language to read that volunteers will submit applications rather than resumes and remove another line. Commissioner Weinman seconded. Passed 7-1-0 (Commissioner Minister Abstained).

Commissioner Carpenter moved to approve the suggested By-Laws change including the above amendment. Failed 6-3. Commissioners Peifer and Minister commented that they would like to see these changes made in a different format.

9:30 PM Urban Deer discussion tabled until January

Addendum to the minutes – link to the OCLC links on deer population

9:31 PM Chassidy Barham, City Attorney's Office

I spoke with Sandra Lopez (City Council) and Katherine Cull on legality of urban deer hunting and will continue working on an update for next month.

9:34 PM Adjournment

Commissioner Carpenter moved to adjourn and Commissioner Garrison seconded.

Addendum I to Minutes

Urban White-Tailed Deer Information from the Ohio Community Wildlife Cooperative

<https://u.osu.edu/ocwc/annual-conference/>

Addendum II to Minutes – Sierra Club Fact Sheet on OSU Gas Plant

Overview

OSU has proposed the construction of a new gas power plant on the main campus in Columbus. The plant would increase greenhouse gas emissions and have significant impacts on the environmental quality of life in a dense urban area, while committing the University to drawing a significant proportion of its energy from fossil fuels for years to come.

The plant will also be a major emitter of particulate matter and nitrogen oxides, contributing to pollution in Franklin County--a county that was, until recently, out of compliance with National Ambient Air Quality Standard for ground-level ozone.

Basics of the OSU Gas Plant Proposal

- a. New 105.5 megawatt gas CHP (two gas turbines)
- b. Plant being developed by private group that took over serving OSU energy needs in 2017. These companies intend to make a profit building and managing this plant, which will only provide energy to OSU.
- c. Local greenhouse gas emissions will increase.
- d. Developers/OSU argue that even though local emissions will increase, they do not need to conduct an analysis of the effects on emissions of air quality in the area that would normally be required for a project of this size because OSU is a nonprofit educational institution and therefore exempt, in the University's view, from normal Clean Air Act planning. Ohio EPA has issued a letter exempting Developers/OSU from this legal requirement.

Concerns with the Proposal

- a. OSU building a new polluting gas plant in a highly populated area is not good for community health or the environment. We don't even know what these impacts will be, because OSU/Developers got an exemption from the analysis that is otherwise required.
- b. OSU building a new gas plant as the climate crisis worsens is like using gasoline to try and put out a fire. This proposal does not represent a real effort to tackle the climate crisis.
- c. OSU should have considered renewable energy, energy efficiency, and building electrification to meet the University's needs instead of a gas plant. OSU did not even consider solar or wind power as alternatives.
- d. OSU is being a bad neighbor as the proposal is out of touch with what central Ohio wants in terms of energy, the environment, and public health. This was demonstrated by Columbus Mayor Ginter's recent announcement he intends Columbus to be power by 100% renewable energy by 2022.

Resources and How to take Action

- a. [Link to Sierra Club legal motion to intervene in Ohio Power Siting Board case](#)
- b. [Link to Ohio Power Siting Board docket for the plant proposal](#)
- c. [Click here](#) to sign a petition and send a comment to President Johnson
- d. Contact OSU President Johnson on twitter at [@PresKMJohnson](#) or by email at president@osu.edu
- e. Send an email to the Ohio Power Siting Board opposing the plant. Contact docketing@puc.state.oh.us and include "Comment for case 19-1641-EL-BGN" in the subject