

**PLANNING COMMISSION MINUTES
CITY OF PIQUA, OHIO
6:00 P.M. – TUESDAY, FEBRUARY 11, 2025
COMMISSION CHAMBERS – 201 W. WATER STREET**

CALL TO ORDER

At 6:00 pm Chairman Bubp called the meeting to order and welcomed all in attendance. Mr. Bubp outlined the order of business and procedures that will be followed by the Planning Commission.

ROLL CALL

Members Present: Mr. Brad Bubp, Mr. Terry Wright, Mr. Adam Seas, Mr. Micah Underwood, Mr. Eddie Harvey

Absent:

Mr. Harvey made a motion to excuse Mr. Underwood and Mr. Seas seconded the motion. After the motion, Mr. Underwood arrived and joined the meeting.

APPROVAL OF MINUTES

The minutes of January 14, 2025 Planning Commission Meeting were approved by voice vote.

NEW BUSINESS

Mr. Brad Bubp recused himself from the first agenda item due to conflict of interest.

Resolution PC 2-25

Kyle Hinkelman was present and gave the staff report. He displayed a PowerPoint presentation that illustrated the history of the zoning of the parcel(s) mentioned in the resolution. He explained that every parcel in the city needs a designation, and this resolution is to give a parcel a designation. Mr. Hinkelman states he recommends an IL- Light Industrial zoning designation for the property which would not permit the heavy industrial uses noted as concerns previously. Mr. Hinkelman also stated that staff would support a CV- Civic District designation with the interpretation that an Essential Service, like a water plant or power substation would be permitted use on the property. He also reiterated that that is for the zoning designation not a use.

Mr. Terry Wright asked what the difference is between IL and CV. Mr. Hinkelman stated that high impact would not be allowed on those properties and that CV is government facilities and parks. Mr. Wright asked clarification that CV would be the lowest impact and asked about toxic materials. Mr. Hinkelman stated he was correct that there would be no toxic materials either.

Mr. Adam Seas stated that light pollution and noise disruptions could be a problem. He drove out to the site and saw there are 3 homes near the property. Mr. Hinkelman stated there are setbacks and

development code that include landscape buffers and stormwater-among other things- that will need to be met. Mr. Seas states there were promises made by the original water plant that weren't met per citizens. He feels that CV would be the least impactful. Mr. Hinkelman stated staff is presenting multiple options for Planning Commission to review.

Jeff Lange, 9586 SR 66 N, is against IH which is now being recommended as IL. He was asking about new water plant retention pond over flow into Swift Run Lake which is the drinking water source. He voices concerns about what will happen on the property and previous grants for the area. He is asking the board to care about and vote for people's health.

Brittany Brown- 9937 Hardin Alternative, Ms. Brown states concerns over lack of communication. She states she wasn't notified by the City. She has issues with IH and separation from residential. She believes there are negative health impacts such as light pollution and side effects from low frequency noise. Her children live in her home and she is worried about exposing them to the above concerns. Ms. Brown also has concerns that it will negatively impact her property value.

Mr. Hinkelman stated that we did send notifications out. We use the Miami County Auditor to get addresses.

Ryan Todd, 3105 Tecumseh Circle, Mr. Todd stated there are no substations in the city close to residential areas. Why would the city want to put it here? He states he understands the property needs a zoning designation but he recommends to object the staffs proposal. He recommends a conservation or residential are.

Valerie Mullikin, 5905 Piqua Clayton Rd, Ms. Mullikin states that IH needs 10 acres but there isn't 10 acres here. Mr. Hinkelman states that IH does not need 10 acres. Ms. Mullikin asked Mr. Hinkelman if he can send her that section of the code. He stated it would be happy to send it. Ms. Mullikin stated she is worried that in the future more could be annexed into the city eventually and it could affect her.

Danielle Albright, 10156 Little Turtle Ln, Ms. Albright states she wasn't notified by the city. She stated to the citizens they shouldn't let the city decide what happens to the parcel. She feels it is the Planning Commissioners responsibility- not the staff.

Susan Spidel, 1103 Echo Lake Dr, states that people have lost faith in the city. She states that she has been in the city building for multiple concerns. She is asking the board to protect the citizens from the city. She states a substation next to the historic canal and water source is not a good idea.

Mr. Adam Seas reiterates that planning commission recommends to city commission. Mr. Seas asks if a recommendation for conservation would work. Mr. Hinkelman states that conservation does not permit essential services. Mr. Todd states the water plant already exists. He asks if the proposed resolution is for both parcels of land. Mr. Hinkelman states the city's job is to bring forward and give recommendations based on professional opinion. He states if the Planning Commission only wants to do the five acres today that is fine. The city will then have to bring back the water plant.

Diana Parke, 4380 Brunson Ln, states that land has previously been taken from heavy industrial to light industrial to blow up batteries. She doesn't trust IL after it was violated for 6 years. She feels the Planning

commission should take this matter seriously. She states that the land should be agricultural. Mr. Seas said or conservation area.

Nick Martz 1433 Covington Ave, stated he agreed with Mr. Seas in regards to the community learning from previous mistakes. He has concerns about disturbance of wild life, light pollution and is fond of the conservation aspect. He recommends the commission table the item tonight. Mr. Hinkelman stated that Roberts Rules state you can't table the same item twice. It will go to commission for either denial or approval.

Kim Heisler, 1802 W Parkway Dr, states she has concerns about the recommendation. She states the city has had problems with oversight in the past. She states the packet has the wrong date at the top. She states there are notification issues. She feels there should be people physically door to door or posting signs in yards to show there is a case happening. She also has concerns with last meeting and a board member stating there was a conflict of interest. She noticed he recused himself today but feels that he should step down from his position. Ms. Heisler also stated that ignorance of law is no excuse for breaking it. She recommends AG or Conservation area.

Mr. Seas states Piqua needs the substation that everyone is talking about. And states it needs someplace to go. He is in favor of a conservation area. Mr. Seas also stated he doesn't understand why AES can't show up.

Mr. Seas recommends the land be recommended for approval with the designation of Conservation. Mr. Underwood seconded the motion. The motion was approved with a 4-0 vote.

Mr. Hinkelman stated that this item will go to City Commission on February 18, 2025.

Mr. Bubp came back to his chair.

Resolution PC 4-25

Mr. Brad Bubp states it was tabled because there were concerns regarding language that we wanted to add and requested staff approval.

Kyle Hinkleman gave the staff report and explained that there was a similar process that occurred 2 years ago and the commission voted it down.

Micah Underwood requested clarification on selling eggs. Mr. Hinkleman explained that selling eggs is not a home occupation, it requires health code standards and is not allowed. Mr. Wright stated that if someone were to give eggs to another person and they got sick, there are liabilities. Mr. Hinkelman agrees.

Mr. Bubp opens the discussion to the public.

Nicholas Mahrt, 1433 Covington Ave states that you can read about raising chickens in a book, but the actual act of doing so is much harder than it seems. Mr. Mahrt recommended that even further language be added to the resolution, suggested maybe requiring classes with. He expressed concern about chickens attracting coyotes, foxes, etc. into city limits. Mr. Mart stated that residents could support local farmers or join a co-op by setting up on farm property and caring for their chickens there so that they get the full experience without having to deal with the poop and other hard things that come with raising

chickens. He voiced that raising chickens is not a hobby and he fears loss of interest after people start getting them.

Melissa Jacomet, 221 Gordon St stated that she is for backyard chickens, and the majority of people interested are willing to meet the requirements necessary to have them. She stated that each chicken requires 3-4 ft of space. She discussed different types of chickens, stated that silkies require less space and are a recommended breed for urban chickens. Ms. Jacomet states that coops can be raised with runs under them, chickens are quieter than yard pets, odor and noise are not a concern. States that it comes down to responsibility and respect for neighbors. She believes that those interested in partaking would be willing to take a \$25 online course for education.

Josh Blackshire, 291 Fox Dr for chickens and states with added language of vets and inspection requirements, you would never know that they are there. Mentioned that maybe attracting coyotes wouldn't be a bad thing due to stray cats.

Valerie Mullikin, 5905 Piqua Clayton Rd – approves of the added language, no sale of eggs keeps everyone safe, states that she is willing to help educate others. Stated that regarding noise, you may hear a coo in the morning, due to the chickens being excited for food. Ms. Mullikin counted 11 turkey vultures at French Oil on Saturday morning and she stated that we already have coyote, deer, fox, mink, weasels, raccoons, skunk, and opossum as we are growing into their habitat. She stated that chickens keep rodents at bay, they keep fleas, flies, and ticks away. She expressed that she does not believe they should be allowed in historical areas or HOA's. Ms. Mullikin ended her speech by asking for PC the recommend approval of backyard chickens.

Joe Wilson, 211 W Greene St, states that he is against the approval of backyard chickens. Mr. Wilson stated that we already have problems with dog feces and the odor will draw bugs/flyes. He also stated that the feces would dry and contaminate the air and cause histoplasmosis and other diseases. Mr. Wilson referenced the recent rise of bird flu in surrounding counties and mentioned that children below 5, pregnant women, and adults over 65 with weakened immune systems should not touch chickens. Mr. Wilson expressed concern regarding the costs for supplies/equipment. Mr. Wilson requests that if the board recommends approval, they do not allow it within the historic district.

Pam Hawes, 307 Cleveland St, said she has had chickens before, and they help reduce the amount of waste that you throw into the trash. She stated that she has been buying from farmers, but a lot of them are out.

Jim Vetter, 714 S Downing St, voices concern regarding property values, noise, and disposal of manure. Mr. Vetter states that there are over 20 areas that have HOA that do not allow chickens, and the Historic District should also be included in the areas that chickens would not be allowed. He said that bird flu has been caused by coming into contact with chicken saliva and pests are attracted to chickens. Mr. Vetter is concerned that the \$10 fee will not cover the expense of code compliance enforcing it. He also stated that wanting chickens does not make you responsible. Mr. Vetter represents the Southview neighborhood and is opposed to allowing backyard chickens within city limits.

Ms. Heisler stated that she thought this was passed at the last meeting, and Mr. Harvey said that it was tabled. Ms. Heisler believes that people are misconstrued and asked Mr. Hinkelman how big Covington is,

and Mr. Hinkleman stated that Covington has a population of about 2,500 people and only 2 people got chickens the first year that they were allowed in Covington. Ms. Heisler says that a very small percentage of people would be interested in having chickens, and the noise is already here (dogs). She then mentioned the bird flu, battery burning, and EMFs. Ms. Heisler stated that Mr. Vetter's comment of \$10 not being enough is ridiculous, the City Commission wrote a burn ordinance, and she requested a 10 million dollar fine, but it was only \$150. She stated that people want chickens to provide for their families, not to make people mad.

David, 1800 New Haven, stated that it should be added that neighbors on both sides must sign off in agreement. He stated that bird flu is now in 4 counties and is spreading to cats, and joked that since we have so many feral cats it would be a good way to get rid of them. He said that the fee should probably be more than \$10. Mr. Hummercous grew up on a farm with 20,000 chickens and dealt with the diseases that come with them, he moved to the city to get away from farms. He stated that positives are they are cute, they lay eggs, and they're good to eat. The negatives to having chickens are rodents and snakes, we would have to pass an ordinance to allow killing of predators, the cost is expensive, they carry diseases that can pass to humans, we would need a way to dispose of manure and the chickens could get loose. Mr. Hummercous suggested that the resolution is not approved.

Ms. Hawes stated that there are already a number of different animals in the city, bird flu is everywhere anyway, chickens help with bugs, and most people don't qualify to have them.

Ms. Heisler stated that code compliance plus neighbor approval is ridiculous, if you have code compliance you shouldn't need neighbors' approval. She stated that it affects a small percentage of people and this amount of people don't voice their opinions over battery burning, emfs, etc. Ms. Heisler said that PCR tests are not reliable and can have false positives just like COVID tests, she feels that this is a scare tactic to get people away from self-sustainability.

Ms. Mullikin stated that the people of Piqua can be movers and shakers. She stated that few birds test positive for bird flu, but all are killed as safety precautions. Ms. Mullikin stated that we don't require permission from our neighbors to own cats, dogs, kids, etc. She broke down costs, and stated that cheap chickens are \$6/ea, food is \$20, coops are cheap and chicken wire is \$10/roll. She added that the most expensive part to owning a chicken is the vet cost of around \$50 for them to look at your birds. Ms. Mullikin stated that we live in an era of scare tactics and she will teach others how to care for chickens.

Mr. Mahrt stated that there was a lot of good feedback and a lot of speaking from direct experience. He supports Ms. Mullikin's offer to educate others. Mr. Mahrt stated that if people went through a hands-on crash course, he doesn't predict that we will have a large number of people participating. He recommended modifying the language to add taking a weeklong hands-on crash course.

Ms. Mullikin stated that OSU extension quality assurance requires youth to complete a 2-3hr course 1x a year regarding backyard chickens.

Mr. Seas mentioned that citizens have 5 minutes to speak, 1 time.

Mr. Underwood made it known that PC would not be passing anything, they recommend things, and then City Commission approves or denies.

Mr. Hinkelman stated that being an ordinance it will have 3 readings before final determination

Ms. Heisler said that there is no way to reach Planning Commission.

Mr. Hinkelman stated that it is correct, because PC members are appointed, not elected. They cannot personally be reached; they should be learning about things along with the public.

Mr. Bulp stated that the positives made a good argument, and so did the negatives. He asked if it would be advisable to have an area designation regarding how much free space there must be outside of setbacks.

Ms. Mullikin stated that there should be a 3' perimeter around coop, and the chickens should not be allowed in the historic district.

Mr. Bulp added that hens make some noise once a day when laying an egg.

Mr. Underwood stated that education language should be added.

Ms. Mullikin mentioned the OSU extension agency – quality assurance course on backyard chickens.

Mr. Hinkelman added B.(1)(A)(5) – proof of education.

Mr. Bulp stated that they should not be allowed in the historic district.

Mr. Hinkelman added B.(1)(B)(13) – Remove all historic district possibility.

Mr. Bulp stated no permit should be issued until proof of education is received.

Mr. Mahrt asked how deceased chickens are dealt with in the city and if they are placed in trash cans. Ms. Mullikin stated that this is addressed in the educational course.

Mr. Hinkelman stated that we (the City of Piqua) cannot regulate/enforce HOA rules.

Mr. Seas made a motion to approve the amended resolution, seconded by Eddie Harvey. The motion was approved with a 4-0 vote, Mr. Bulp abstained.

OTHER BUSINESS

Mr. Bulp recused himself from the zoning discussion due to personal conflicts, but wanted to say that he has done research on substations and what EMF's do. EMF's produce magnetic field levels that decrease quickly, lower than magnetic field found inside your home. He stated that it will happen somewhere, it is needed in the city. Mr. Bulp also added that EMF's is not what should be cause for concern.

ADJOURNMENT

With no other questions, comments, or business before the Planning Commission all members agreed by voice to adjourn, the meeting was adjourned at approximately 8:40 P.M.

The meeting minutes provided herein were prepared by Emily McCulla, City of Piqua Development Department. Comments requesting corrections, additions, or deletions to the content of this record should be directed to Ms. McCulla at emcculla@piquaoh.gov