

**From:** [Butler, Matthew](#)  
**To:** [Puco Docketing](#)  
**Subject:** Public comment 20-1605  
**Date:** Friday, April 8, 2022 10:48:37 AM  
**Attachments:** [RES#238-22 Resolution declaring portions of the unincorporated areas of Allen Co. Restricted from Significant wind farms, large wind farms and large solar farms.pdf](#)

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**From:** Against Birch Solar <[againstbirchsolar@gmail.com](mailto:againstbirchsolar@gmail.com)>

**Date:** April 8, 2022 at 9:49:37 AM EDT  
**To:** "Butler, Matthew" <[matthew.butler@puco.ohio.gov](mailto:matthew.butler@puco.ohio.gov)>, Ann Fisher <[afisher@wcoil.com](mailto:afisher@wcoil.com)>  
**Subject:** Birch Solar 1 - Allen Co Exclusion Zones.

Matt,

Please add this document to public comments.

Jim Thompson  
419.905.5415

----- Forwarded message -----

From: **Brittany Woods** <[bklingler@allencountyohio.com](mailto:bklingler@allencountyohio.com)>  
Date: Fri, Apr 8, 2022, 9:45 AM  
Subject: Requested Resolution  
To: [againstbirchsolar@gmail.com](mailto:againstbirchsolar@gmail.com) <[againstbirchsolar@gmail.com](mailto:againstbirchsolar@gmail.com)>

Hello,

Please see the attached for a copy of the Resolution that you had requested.

Thanks,

Brittany N. Woods

Administrative Assistant/Wellness Coordinator

Allen County Commissioners Office

419228-3700 ext.8503

**CAUTION:** This is an external email and may not be safe. If the email looks suspicious, please do not click links or open attachments and forward the email to [csc@ohio.gov](mailto:csc@ohio.gov) or click the Phish Alert Button if available.

**RE: A RESOLUTION DECLARING PORTIONS OF THE UNINCORPORATED AREAS OF ALLEN COUNTY, OHIO TO BE RESTRICTED AREAS PROHIBITING CONSTRUCTION OF ECONOMICALLY SIGNIFICANT WIND FARMS, LARGE WIND FARMS, AND LARGE SOLAR FACILITIES.**

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The Board of County Commissioners of Allen County, Ohio met in regular session on the 4<sup>th</sup> day of April, 2022 with the following members present: Beth Seibert, Cory Noonan and Brian Winegardner

Commissioner Noonan moved for the adoption of the following:

**RESOLUTION**

**WHEREAS**, on June 28, 2021 the Ohio General Assembly adopted Senate Bill 52 ("SB 52") which amends the process for siting certain wind-powered and solar-powered electric generation facilities in the State of Ohio; and

**WHEREAS**, SB 52 took effect October 11, 2021, and became ORC 303.57, *et. seq.*; and

**WHEREAS**, SB 52, now ORC 303.57 - 303.62, gives Boards of County Commissioners the power to adopt a resolution designating all or part of the unincorporated areas of the county as a restricted, prohibiting the construction of certain wind farms and solar facilities;

**WHEREAS**, the Board of Commissioners, Allen County, Ohio ("Board") has responsibility for preserving the general health, safety, and welfare within the territory of Allen County, Ohio; and

**WHEREAS**, the development of "economically significant wind farms" as defined in ORC 4906.13, "large wind farms" and "large solar facilities" as both are defined in ORC 4906.13 (collectively referred to as "large utility facilities") and subject to restriction pursuant to ORC 303.57, *et. seq.*, has numerous potential impacts on users and property owners in the vicinity of such developments; and

**WHEREAS**, the Board has considered the potential impacts of development as well as the interests of property owners in making their land available for development; and

**WHEREAS**, utilizing the above considerations, and considerations from all twelve townships within the unincorporated areas of the County, the Board has prepared a map containing the proposed restricted areas within the unincorporated areas of Allen County, Ohio; and

**WHEREAS**, pursuant to ORC 303.58, said map has been posted at all public libraries within Allen County, Ohio for a period of least thirty (30) days; and

**WHEREAS**, pursuant to ORC 303.58, public notice of this meeting has been given to all school districts, municipal corporations, and boards of township trustees located in whole, or in part, within the boundaries of the proposed restricted areas; and

**NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS, ALLEN COUNTY, OHIO THAT:**

1. The Board of Commissioners hereby designates all unincorporated areas of Allen County, Ohio as a restricted area for construction of "economically significant wind farms" as defined in ORC 4906.13, "large wind farms" and "large solar facilities" as both are defined in ORC 4906.13, otherwise known as "Large Utility Facilities" except for:
  - a. Areas zoned Industrial in Shawnee Township, Allen County, Ohio, and
  - b. Areas zoned General Industrial in Perry Township, Allen County, Ohio.
  - c. In the two areas described above, Large Utility Facilities may be permitted to be constructed, subject to the parameters of ORC 303.57, *et. seq.*, and all other applicable law.
2. That a map documenting the restricted areas of the unincorporated areas of Allen County, Ohio be attached hereto and marked as Exhibit "A".

3. This Resolution shall be in full force and effect thirty (30) days after its adoption, pursuant to ORC 303.59, unless it is timely petitioned for a referendum by the requisite number of registered electors in the county.

4. The Board of Commissioners hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of the Board of Commissioners, and that all deliberations by this Board, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including ORC 121.22.

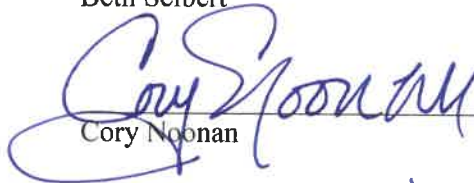
Commissioner Seibert seconded the resolution and upon the roll being called, the vote resulted as follows: Commissioner Seibert, yes; Commissioner Noonan, yes; Commissioner Winegardner, yes.

Adopted this 4<sup>th</sup>  
day of April, 2022

**BOARD OF COUNTY COMMISSIONERS  
ALLEN COUNTY, OHIO**



Beth Seibert



Cory Noonan



Brian Winegardner




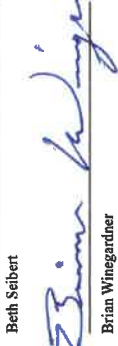
Brittany N. Woods  
Assistant Clerk of the Board

# Allen County Renewable Energy Development Zones



Board of County Commissioners  
Allen County, Ohio

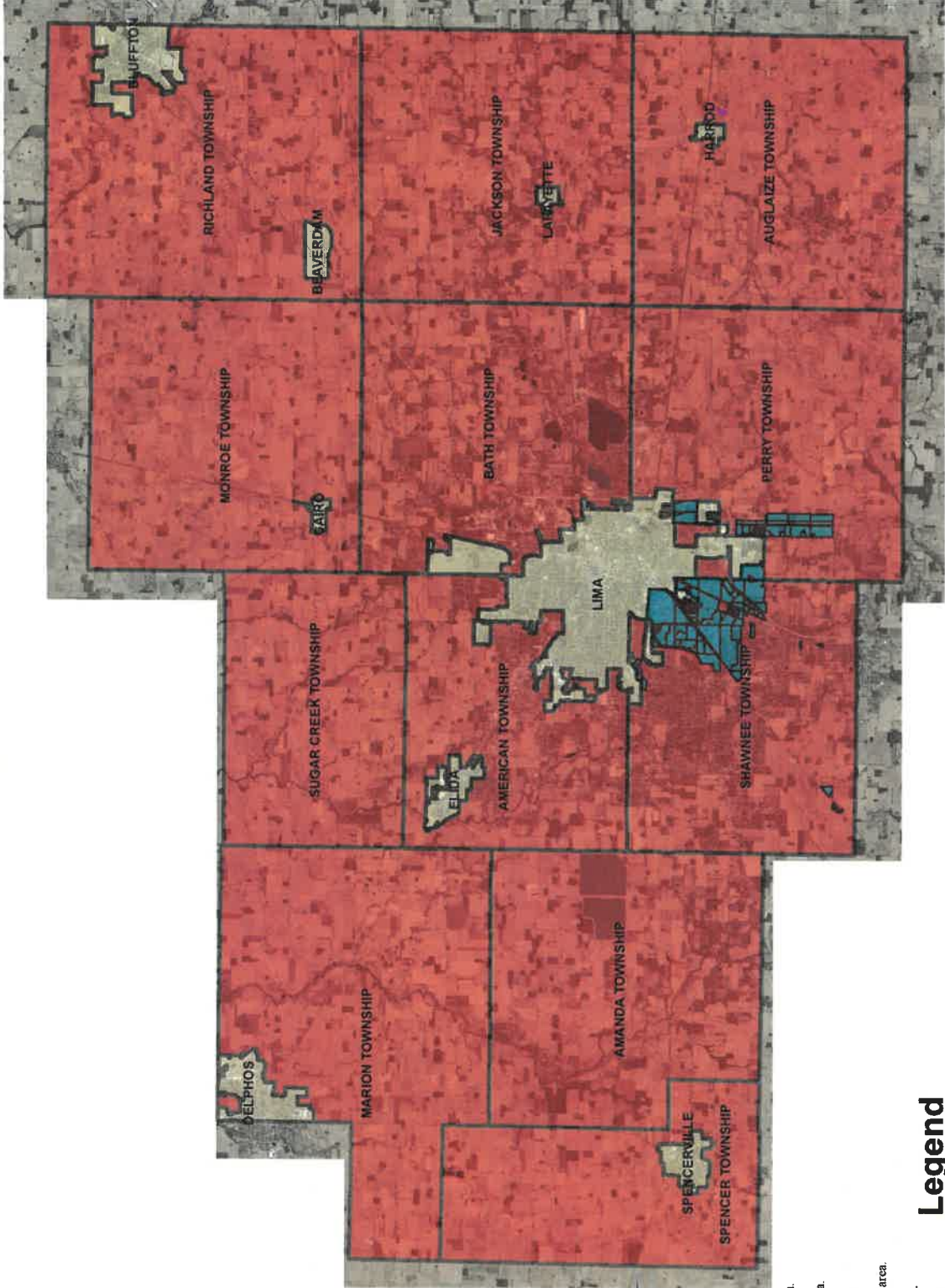
  
Cory Noonan

  
Brian Winegardner

- 1. Amanda – All areas of the township designated as a restricted area.
- 2. Auglaize – All areas of the township designated as a restricted area.
- 3. Marion – All areas of the township designated as a restricted area.
- 4. Sugar Creek – All areas of the township designated as a restricted area.
- 5. Spencer – All areas of the township designated as a restricted area.
- 6. Monroe – All areas of the township designated as a restricted area.
- 7. Jackson – All areas of the township designated as a restricted area.
- 8. Richland – All areas of the township designated as a restricted area.
- 9. American – All areas of the township designated as a restricted area.
- 10. Bath – All areas of the township designated as a restricted area.
- 11. Perry – All areas of the township designated as a restricted area except for areas zoned general Industrial.
- 12. Shawnee – All areas of the township designated as a restricted area except for areas zoned Industrial.

## Legend

-  Incorporated Areas
-  Restricted Zones
-  Development Zones



**This foregoing document was electronically filed with the Public Utilities  
Commission of Ohio Docketing Information System on**

**4/8/2022 11:30:46 AM**

**in**

**Case No(s). 20-1605-EL-BGN**

Summary: Public Comment of Brittany N. Woods, Administrative Assistant and  
Wellness Coordinator for the Allen County Commissioners Office, via website,  
electronically filed by Docketing Staff on behalf of Docketing