



**New Albany Sustainability Advisory Board  
January 11, 2023 Minutes**

The Sustainability Advisory Board met for the Board’s regularly scheduled session at the New Albany Village Hall, 99 W. Main St, and was called to order by Mr. Filiatraut at 6:31 PM.

Those answering roll call:

Mr. Brian Filiatraut, Chair	Present
Mr. Charles Schumacher, Vice-Chair	Absent
Ms. Catherine Duffy, Secretary	Present
Mr. Peter Barnes	Present
Ms. Laura Gallo	Present
Mr. Steven Conway	Present
Mr. Scott Harrold	Present
Ms. Lily McGraw (Student Member)	Present
Mr. Chip Fellows (Council liaison)	Present

Staff members present: Adrienne Joly, Director of Administrative Services; Mike Barker, Director of Public Service; Steve Mayer, Planning Manager; and Chelsea Nichols, Planner.

Mr. Filiatraut asked if there were any corrections to last month’s meeting minutes.

No corrections were noted.

Mr. Barnes moved to approve the December 14, 2022 Sustainability Advisory Board meeting minutes. Seconded by Ms. Duffy and the Sustainability Advisory Board voted with 6 yes votes, 0 no votes, and 0 abstentions to approve the minutes.

Mr. Filiatraut asked if there were any additions or corrections to the agenda.

No additions or corrections to the agenda were noted.

Mr. Filiatraut asked if there were any members of the public present to speak to items not on tonight’s agenda.

No members of the public wishing to speak were present.

**Business**

**Solar Best Practices Report – Steve Mayer, Planning Manager**

Ms. Joly introduced Steve Mayer, Planning Manager.

Mr. Mayer presented the Solar Best Practices Report to the Board. [Presentation attached to minutes.]

Council Member Fellows asked if city staff has been contacted by Homeowner’s Association board members regarding Ohio Senate Bill 61: Solar Access. The HOA he lives in has very strict restriction on HOAs. If there are no guidelines, it could impact the aesthetics of the neighborhood. For residential, aesthetics is an important consideration. Many residents could be very eager to install solar panels and it would be best to put guidance out there sooner rather than later.

Mr. Mayer answered by stated he is not aware of any questions from HOAs regarding this bill. However, staff has gotten questions from HOA presidents in the past asking what the city's regulations are. As part of this code update, staff will engage with the HOAs so that they are aware of what it means for them. The Bill could potentially take away the HOA's ability to have guidelines. It is the city's intent, for the community as a whole, to create either code guidelines to code requirements for solar panels. Solar panels are something staff has seen in increasing trend on. Currently, while there are no zoning regulations, one still has to pull an electrical permit with the community development department. There has been an uptick in the number of permit applications the city has received compared to years past.

Ms. Joly explained that there is still some uncertainty with the application of the state law. It says solar panels are permissible unless explicitly prohibited by an HOA. It is up to the HOA to decide if they are going to expressly prohibit them or put some reasonable restrictions on them. With any state law, until it is applied, it will take some time to fully understand and staff feels it is in the city's best interest to have some regulations in place.

Ms. Duffy asked about the Inflation Reduction Act. Her understanding is that the upper limit on the rebate is 60% and the base is 30% with incremental additions of 10% depending on the criteria. She asked if the list of criteria have been released yet.

Staff answered by stating they can check with the consultants and let the board know. Mr. Filiatraut stated the base is 30% and it can go up to 70% based on the number of adders. The one thing New Albany most likely would not qualify for is a 20% adder that is based on geography which applies to more rural communities and disadvantaged communities. The one thing that could be added is the domestic piece. If most of it is domestically manufacture, it could likely be bumped up to 40%.

Council Member Fellows asked if the city will encourage residents to consider solar energy. He also asked if once code is established, whether the SAB can begin to advocate and educate the community on solar energy. Ms. Joy answered by stating she believes that is one of the benefits of bringing this report and then ultimately any code changes through various boards and commissions. Conceivably people on this Board may feel differently about these structures than people on the Architectural Review Board; or maybe not. The goal is to get feedback from the various boards so that staff can draft a code that finds the balance between the technology, the usefulness, the environment benefits, and the aesthetic considerations of the community. Establishing a code will remove regulatory barriers for people to be able to install solar panels on their homes.

Mr. Filiatraut stated there were two things he wanted to highlight. The first being the community solar piece; it is not allowed under AEP territory. It could be done in a rural co-op. Although, it would be beneficial for residents to move forward with that because they could do it on a piece of land they own elsewhere or a piece of land the city owns. The other thing he saw in the recommendations is the SolSmart piece. That is a key piece that will provide communication outreach that will be helpful. SolSmart will help with that. In addition, given we were just designated with Sustainable2050, and SolSmart could help bump New Albany up in their designation for more points.

Ms. Joly responded by stating that there is a rural co-op in Licking County and they can look into those areas.

Council Member Fellows asked if there could be houses oriented in a way that solar would not work for them. Mr. Mayer stated that it is his understanding that south facing is where one would want to put their solar panels. Certain cities will allow residents to have solar panels as long as you are not installing it on the front of the house. If their front side is south facing, some cities will say even though it would work functionally, from an aesthetic standpoint it cannot be there. However, there are cases where it could

potentially work if the home was designed correctly with bump outs, additions, and accessory structures if it is facing a certain way and tucked back.

Council Member Fellows asked who will decide what we will allow and not allow. Mr. Mayer answered by stating that staff will develop the recommendations based on the feedback they receive. Ms. Joly agreed and stated it will be decided based on all the boards and commissions that are going to get this report and talk through these considerations. The great thing about the report is the case studies to see how different communities regulate solar energy.

Mr. Barnes stated he lives in Hampstead and has solar panels. His backyard happens to face south. However, half of his neighbors' houses have a back yard that faces north so that entire group of houses would be ineligible to get solar panels if the code requires them to be rear facing. As far as some of the other suggestions for color and symmetry; he thinks that will help in allowing for them to be on the front of the house. He would rather leave leeway for front facing panels.

Mr. Filiatraut stated there is an idea of equity and not negating people from the right to have panels if they desire. If it south facing and that is the front of the house, he would be in favor.

Ms. Joly stated that Dublin is currently going through the same process. One thing they are looking at is requiring residents to use integrated building material for front facing and to go through a secondary review.

Mr. Filiatraut stated with integrated building materials, that cost is going to be much higher and the question of equity is still there.

Ms. Joly stated that as far as ground mounted, that is another consideration. Should it be permitted for lots over a certain size? Should there be setback requirements? Should there be screening requirements?

Mr. Barnes stated he does not think ground mounted will be a popular choice but thinks having a screening requirement could be an appropriate choice rather than completely eliminate that opportunity.

Mr. Filiatraut stated that is a common practice for even utility-scale solar. In even very rural areas there are requirements for installing screening and abiding by setbacks.

Ms. Joly asked for confirmation as to whether screening and setback requirements should be required for any ground mounted panels.

Ms. Duffy stated she would not agree with that. She is wide open with solar on all accounts. They have made assumptions about aesthetics that are not in line with what she believes. She thinks solar panels on a roof can inspire people. It can make them understand what it means to be a citizen of the world that makes them think about things beyond what they see outside of their front window all of the time. She also thinks it has the potential to attract folks in the community that have the funds to invest in renewable energy. She is in favor of having open opportunity for people to put solar anywhere on their roof and anyone on their property that they own. If it were up to her, she would not change the code at all. Her feeling is that they need to be encouraging people to do this instead of setting up limitations.

Mr. Conway stated it is the relative nature of it. If you put in a new community then it would be uniform. With this there is going to be an old way and new way.

Mr. Filiatraut stated with regard to the institutional piece, the guide to best practices advocates for visibility with government and schools. It is interesting that it would be okay for public institutions to

make it as visible as possible but not okay with residents to do so. He understands exactly what Ms. Duffy is saying.

Council Member Fellows stated it is a balance; you have to find the balance because there are people on both sides. It is important to find a compromise.

Mr. Filiatraut asked for clarification on the process. Ms. Joly explained the process of going before the other boards and the zoning code process. She encouraged the SAB members to continue giving staff their input even after the meeting.

Council Member Fellows encourages staff to solicit feedback from the HOAs.

Mr. Barnes expressed concern for homeowners having to go through a two-step process; to get approval from their HOA and to get approval from the city. Ms. Joly explained that is how the process is now for any type of improvement that a resident would want to make to their property.

Ms. Duffy suggested that the city be proactive with businesses in educating them and encouraging them on solar panels. Mr. Barnes agreed and suggested perhaps there could be a sustainability award as an incentive.

Council Member Fellows suggested using the solar panels at the Service Department as an educational tool. Mr. Conway echoed this sentiment and would also like to see the Service Department be used as an example if it is a success story, especially through the financial lens. Mr. Barker explained that they do have quite a bit of data.

Mr. Filiatraut explained his thoughts on the importance of pushing solar panels on the schools. Mr. Barnes agreed and offered a suggestion regarding the potential for implementing a grant program.

Mr. Filiatraut expressed concern with the potential conflicting message for the Village Center criteria. The first recommendation states it should not be visible but earlier on in the report it stated solar panels should be visible on government and institutional buildings. Mr. Mayer explained that current code treats institutional buildings differently; they have different sets of standards.

Mr. Barnes expressed concern with regard to whether it is the intent to use solar to promote something positive or whether it is to be hidden. Ms. Duffy shared the same concern. She reiterated her thoughts on how this should be something the city is proud of. Should be proud that this is a priority of the city. Just because other cities are doing something, it does not mean we have to do the same thing. This movement is something to be proud of.

Ms. Joly explained that there is a whole code section regarding the Village Center. She also explained the Architectural Review Board process and Design Guidelines. Due to the requirement of building to be designed with certain historical styles, there are not a lot of flat roofs in the Village Center. Perhaps design standards could be opened up to allowing flat roof styles. There could be an opportunity with new buildings as they go through the process.

Council Member Fellows suggested parking decks. Mr. Filiatraut suggested a zoning code updated that requires applicants to provide solar. With regard to other code standards, he suggested staff steer clear of requiring sound barriers.

Ms. Duffy asked if code changes would only apply to new installations. Staff answered in the affirmative. Anything preexisting is a nonconforming use if it was permitted by code and law at that time.

Mr. Barnes suggested that there be a webpage on the city's website. He also expressed his gratitude for the city going through this process and stated he thinks residents and employers in New Albany are more pro-solar energy than one would think. He thinks panels look better than they used to. He would love to know what people think about solar panels and suggested the city conduct a survey so that they do not make it more restrictive than people are asking for.

Ms. Duffy asked about the timeline. Staff explained that the entire process will probably take until summer time. It depends on the feedback and how staff incorporates it into a draft code.

Council Member Fellows suggested that staff create a conceptual rendering of what solar panels might look like on Market Street and perhaps other locations within the city. Mr. Filiatraut stated SolSmart can provide a rendering as well as a break down on the economic and financial impact.

Staff thanked the board for their discussion on this matter.

### **Earth Day to Arbor Day Planning – Adrienne Joly, Director of Administrative Services**

Ms. Joly presented the Earth Day to Arbor Day proposed events memo, submitted by Abbey Brooks, to the Board. [Memo and presentation attached to minutes.]

Council Member Fellows stated he spoke to a company that conducts hazardous waste collection days. That company stated a one-day event would cost \$10,000.

Ms. Joly explained that the city did budget for cost associated with a hazardous waste, e-waste and paper shredding/disposal event for this year.

Ms. Gallo stated she could promote it within the schools if Ms. Joly would like to send her something. She also suggested that the library have a nature display the week of Earth Day.

Mr. Filiatraut suggested partnering with the Chamber and perhaps offering a reusable bag that could be coupled with a discount if used at local shops.

Council Member Fellows suggested promoting taking the bus, walking, or biking to school. He also liked the idea of the reusable bags and perhaps it could be a give-a-way item.

Ms. Duffy suggested holding a lecture series.

Mr. Barnes suggested having a city-led clean-up as part of the passport program. He also suggested using an app along with QR codes.

Council Member Fellows stated he liked that idea and suggested having stream clean-ups.

Ms. Gallo moved to approve the Earth Day to Arbor Day proposed events Seconded by Mr. Barnes and the Sustainability Advisory Board voted with 6 yes votes, 0 no votes, and 0 abstentions to approve the minutes.

### **School Grant Programs Planning – Adrienne Joly, Director of Administrative Services**

Ms. Joly presented the school grant programs planning to the Board. [Presentation attached to minutes.]

Council Member Fellows asked if the water filling stations will be filtered. Ms. Joly explained that it would be similar to the filling station we have in the Village Hall building and thinks it would be filtered.

Ms. Gallo stated this is something that is really important and would like to wait until next month in order to have more time to think through these questions.

Ms. Joly agreed.

Ms. Barnes stated if city staff is meeting with the schools, it should be a local, actionable project to promote further sustainability. Timeline is important too. Perhaps students should have the entire school year to complete the project. The fall might be a good time to start the project.

Ms. McGraw stated there is an environmental club in the schools. However, some school have composting and some do not so perhaps that could be part of the program.

Ms. Joly stated they will add this to next month's agenda.

#### **Other Business**

Mr. Filiatraut asked if there was any other business from staff.

Ms. Duffy asked if they can also add the SWACO grant to next month's agenda.

#### **Poll Members for Comment**

Mr. Filiatraut asked if there were any other comments from the Board.

Mr. Filiatraut motioned to adjourn the meeting with a second from Mr. Conway. All were in favor and the meeting was adjourned at 8:26 p.m.