

Village of Lordstown Planning Commission

March 13, 2022

The Lordstown Planning Commission met on March 13, 2022, at 6:30 p.m. at the Lordstown Administration Building. The meeting was called to order by Vice Chairperson, Richard Rook, followed by the Pledge of Allegiance to the Flag. Roll call was taken.

In Attendance: Richard Rook, Vice Chairperson
Arno Hill, Mayor
Bob Shaffer, Member
Paul Dutton, Solicitor
Kellie Bordner, Planning and Zoning Administrator
Debbie Bracken, Assistant Planning and Zoning Administrator

Also Present: Steven Remillard, COO and Authorized Representative for CEF-T and Trumbull Asset Management, LLC
Attorney Matthew W. Warnock, Bricker & Eckler
Jihoon Kang, CEO/President of CEF-T and KOSPO USA
Jewoo Cho, Coordination Manager of CEF-T and Trumbull Asset Management, LLC

EXCUSE THOSE ABSENT:

MR. ROOK: Can we have a motion to excuse the absences – Lamar Liming and Tim Rech?

MR. HILL: So moved.

MR. SHAFFER: Second.

MR. ROOK: All in favor?

MR. HILL: Aye.

MR. SHAFFER: Aye.

MR. ROOK: Aye.

(VOICE VOTE: 3, AYE; 0, NAY; 0, ABSTAINED.)

APPROVAL OF AGENDA:

MR. ROOK: All right, it's unanimous. It carries. Can I have a motion to approve the agenda this evening?

MR. HILL: So moved.

MR. SHAFFER: I make a motion -- yeah, I made it.

MR. HILL: Okay, he made it. I'll second.

MR. ROOK: All right, first and second -- all in favor?

MR. SHAFFER: Aye.

MR. HILL: Aye.

MR. ROOK: Aye.

(VOICE VOTE: 3, AYE; 0, NAY; 0, ABSTAINED.)

APPROVAL OF MINUTES OF FEBRUARY 13, 2023

MR. ROOK: All right, that makes it unanimous. Approval of the minutes for the February 21, 2023 meeting -- motion for that?

Village of Lordstown Planning Commission

March 13, 2022

MR. SHAFFER: I'll make that motion.

MR. HILL: I'll second.

MR. ROOK: Second -- all in favor?

MR. SHAFFER: Aye.

MR. HILL: Aye.

MR. ROOK: Aye.

MS. BORDNER: May I back up one second, please?

MR. ROOK: Yes.

MS. BORDNER: The minutes that we have to approve were not correctly identified on the agenda. It is not February 21, 2023. It is the February 13, 2023 meeting minutes. Everybody, I'm sure, has read them. We just had the wrong dates -- so I just wanted to clear that up.

MR. ROOK: Everybody approve that? Fine with that?

MR. SHAFFER: Yes.

MR. HILL: Yes.

MR. ROOK: Yes.

(VOICE VOTE: 3, AYE; 0, NAY; 0, ABSTAINED)

PLANNING AND ZONING ADMINISTRATOR'S REPORT

MR. ROOK: Any Planning & Zoning Administrator's Report this evening?

MS. BORDNER: No report.

SOLICITOR'S REPORT:

MR. ROOK: Solicitor's Report?

SOLICITOR DUTTON: No report.

CORRESPONDENCE:

MR. ROOK: Any correspondence?

MS. BORDNER: No, sir.

OLD BUSINESS:

MR. ROOK: Old business?

MS. BORDNER: None, sir.

NEW BUSINESS: 1. Proposed Replat of Clean Energy Future-Trumbull, LLC, Parcels 45-025800, 45-141130, 45-905331 and 45-905493, with frontage primarily on Tod Avenue, and creating Lot Nos. 6-A, 1-E and 1-F within the Lordstown Industrial Park Plat.

MR. ROOK: Okay, I guess we move to the new business this evening. The first one is the Proposed Replat of the Clean Energy Future-Trumbull, LLC, Parcels 45-025800, 45-141130, 45-905331 and 45-905493, with frontage primarily on Tod Avenue, and creating Lot No. 6-A, 1-E and 1-F within Lordstown Industrial Park Plat.

MS. BORDNER: Thank you. On November 4, 2022, Clean Energy Future-Trumbull, LLC, purchased Parcels 45-025800, 45-141130, 45-905331 and 45-905493, here, in the Village of Lordstown. They are seeking to reconfigure these parcels to better

March 13, 2022

serve the proposed development of a second electric generation facility, Trumbull Energy Center. Given that two (2) of the parcels in question are located within the Industrial Park Plat located at Henn Parkway and Tod Avenue, and that the two (2) remaining parcels will be drawn into the Lordstown Industrial Park Plat by subdivision and/or consolidation, a replat of all parcels is necessary.

Clean Energy Future-Trumbull, LLC, as the Applicant in the requested replat, has met the replat requirements as set forth by Lordstown Codified Ordinance 1103, including engaging in the task of hiring a surveyor to prepare a replat map and new legal descriptions. Upon the successful subdivision, consolidation and replat of these parcels, it is their intention to build a second electric generation facility.

All parcels meet the frontage and depth requirements for an Industrial I-1 zoning designation. Additionally, in conjunction with this replat request, Applicant is seeking a zone change on Parcel 45-025800 from Residential R-1 to Industrial I-1.

Clean Energy Future-Trumbull, LLC, would respectfully request that the Lordstown Planning Commission grant their replat request, and the Lordstown Planning and Zoning Administrator concurs in their request and offers that they have met all requirements set forth in the Lordstown Codified Ordinances.

We have with us, tonight, four (4) gentlemen relative to Clean Energy Future-Trumbull. We have Mr. Kang, Mr. Cho, Attorney Matt Warnock and Steve Remillard. I believe that, if you have any questions, they would be very happy to answer them.

MR. ROOK: Okay, would anybody like to get up and tell us something about your project?

MR. REMILLARD: Sure. First off, Steve Remillard, from Trumbull Asset Management Company -- and I would like to thank the Commission for the opportunity to be here tonight.

The Trumbull Energy Center is a -- about a 950-megawatt combined cycle energy facility. It will be located just south of the Lordstown Energy Center -- right on Route 45, Tod Avenue. The fuel will be solely natural gas. We'll be burning natural gas that will be supplied by Dominion East Ohio coming in.

The facility interconnects into the PJM Electrical interconnection system through First Energy's transmission lines, that traverse the southeast corner of the properties; and the facility provides low-cost, reliable electric generation for the region, as well as some economic stimulus and activity for the region as well -- with the construction of the \$1.24 billion dollar facility.

At the height of construction, we'll have just about 600 construction jobs. It won't be all the way through, but it will peak at that, but the construction will take about 39 months to complete. So in early 2026, we plan to be on-line, generating electricity.

MR. ROOK: How many permanent employees will you have?

MR. REMILLARD: There will be about 22 to 24 -- and, usually, it's about 18 during the day, and then we've got some shift work at night -- but the staff goes down lower at night.

MR. ROOK: This may be a dumb question -- are you guys affiliated with the other plant that's there -- or are you separate?

MR. REMILLARD: It's a great question -- and we are not affiliated with that plant. The projects were developed by the same entity, Clean Energy Future, Bill

March 13, 2022

Siderewicz -- but the projects are owned by two (2) different companies. You know, Mr. Kang and Mr. Cho, from KOSPO, are the majority investors and owners of the Trumbull Energy Center.

The Lordstown Energy Center is majority owned by Macquarie -- an infrastructure fund. The difference being that Macquarie is an infrastructure fund. KOSPO is actually an electric-generating company in southern Korea -- so a little different in terms of -- KOSPO comes from the energy and electric background; whereas, Macquarie is a -- is really -- they cover everything -- quite a large infrastructure fund; but we don't have any shared facilities, in terms of rights-of-way or -- access to the facilities are totally independent, even to the point where the gas that comes into the -- from Dominion East Ohio, is split before either -- before it comes to LEC or TEC. So we don't share the metering or the regulation station at all. Water is different, too.

MR. ROOK: You'll be bidding in, on a daily basis, with PJM against the other company then?

MR. REMILLARD: We would. We'd be dispatching in. You know, we look at it -- and you can say that they are competitors, but they're -- the competition is -- they'll probably both dispatch pretty much the same -- just because of the cost profile and similarity between the two, and the technology is similar; but the fact that the Trumbull facility is -- will be newer, it will be more efficient and be able to generate electricity a little bit more efficiently and use less gas.

MR. ROOK: Any questions?

MR. HILL: No. I will say the Village did get a pilot -- the school had a pilot payment in lieu of taxes for the abatement we gave them, and the Village did get one this time; and we are, you know, very happy with that.

And also, we have three (3) 345KW electric lines coming into the Village. So this will be tied into a second one -- am I correct?

MR. REMILLARD: That's correct.

MR. HILL: They're going to be tying into a second one. I'm not saying the electric can't be distributed, but there's actually three (3) different lines they can tie in; and when this substation is built, and they tie into that, they'll be tying into possibly serving a different grid -- not saying, down the road, they're not going to interconnect; but Council has passed everything, and they're happy with the agreement we have.

MR. REMILLARD: To that point, the fact that they're both interconnecting to different transmission lines, helps with the reliability in the area. So, you know, if there's an issue on one, they still have power coming in on the other so --

MR. ROOK: Any other questions anybody -- anybody else from the group want to speak?

MR. JIHOON KANG: Nice to meet you. My name is Jihoon. I'm the President of CEF-Trumbull. So we are from Korea as he said.

We are KOSPO. My -- our parent company -- KOSPO USA -- is a power generation company in Korea, so we have a -- serving a 1,000 megawatt capacity in Korea. So - - yeah, so we invest here in Lordstown. So we wanted to cooperate with the neighbors of the Lordstown. So we will do our best to do things right. Thank you.

MR. ROOK: Well, good -- we appreciate it, and we welcome you.

MR. JIHOON KANG: Thank you.

Village of Lordstown Planning Commission

March 13, 2022

MR. ROOK: Any other comments from the Board, anyone -- no?

(WHEREAS, THERE WAS NO RESPONSE FROM THE BOARD, AND PROCEEDINGS WERE AS FOLLOWS:)

MR. ROOK: Does anyone want to make a motion?

MR. HILL: I make a motion to approve the proposed replat for Clean Energy Future-Trumbull.

MR. ROOK: Second?

MR. SHAFFER: I'll second.

MR. ROOK: We have a second, okay. We want a roll call.

MS. BORDNER: Absolutely -- Richard Rook?

MR. ROOK: Yes.

MS. BORDNER: Bob Shaffer?

MR. SHAFFER: Yes.

MS. BORDNER: Arno Hill?

MR. HILL: Yes.

(ROLL CALL VOTE: 3, AYE; 0, NAY; 0, ABSTAINED.)

MR. ROOK: That carries. It's unanimous. That's it on that one, then, right?

MS. BORDNER: Yes.

MR. ROOK: Any other comments or questions -- anyone?

(WHEREAS, THERE WAS NO RESPONSE FROM THE BOARD, AND PROCEEDINGS WERE AS FOLLOWS:)

NEW BUSINESS: 2. Case No. 01-2023 Petition for Zone Change by Clean Energy Future-Trumbull, LLC, on Parcel No. 45-025800, from Residential (R-1) to Industrial (I-1).

MR. ROOK: We move on to the second one. This is Case Number 01-2023. Petition for Zone Change by Clean Energy Future-Trumbull, LLC, on Parcel No. 45-025800 from Residential R-1 to Industrial I-1.

MS. BORDNER: The property owner is Clean Energy Future-Trumbull, LLC. Their mailing address is 910 Sheraton Drive, 3rd Floor, Mars, Pennsylvania, 16046. The address of the property being affected -- there's no address, so it would be Parcel No. 45-025800.

We have a phone number for Mr. Kang listed here, and we also have a phone number for Mr. Remillard. Both of those individuals are here tonight.

The legal description for tax Parcel ID No. 45-025800 is attached, and they did very well with that. Additionally, the parcel is currently vacant and undeveloped, but it is currently zoned for single-family Residential use. Thus, the Petitioners are requesting a rezone classification from Residential R-1 to Industrial I-1.

Attached to this petition, the Petitioners have provided the following:

March 13, 2022

Number one, a complete legal description and copy of the deed that lists any deed restrictions, covenants and easements for the property to be rezoned.

Number two, a surveyor's map showing all the property lines. There are no buildings or structures located on this parcel. They have shown adjacent properties and the road right-of-ways.

Number three is, "A statement of why the change is necessary for the preservation and enjoyment of a substantial property right," which reads as follows:

"Clean Energy Future-Trumbull, LLC, CEF-T recently acquired Parcel 45-025800 as part of its development of the electric generation facility commonly known as Trumbull Energy Center, TEC -- which was approved by the Ohio Power Siting Board, OPSB, in Case No. 16-2444-EL-BGN. The proposed zoning change from R-1 Residential to I-1 Industrial for Parcel No. 45-025800 would be consistent with the OPSB approved use of the property and creates more consistency with the zoning in the area. In fact, nearly all of the parcels in the vicinity of Parcel No. 45-025800 are already zoned I-1 Industrial -- for example, the parcels immediately to the north, and used for Industrial purposes -- for example, the Lordstown Energy Center, Ultium Cells, Old Dominion Trucking and Foxconn. As a result, the proposed change would make the zoning of Parcel 45-025800 and its OPSB-approved proposed Industrial use, more consistent with the zoning and uses in the area.

Further, the proposed rezoning provides CEF-T with flexibility regarding its compliance with that certain Settlement Agreement arising out of Trumbull County Common Pleas Court, Case No. 2017-CV-1636, a memorandum of which is recorded as Instrument Number 201902250003370 with the Trumbull County Recorder. Under that Settlement Agreement, Clean Energy Future-Trumbull, LLC, CEF-T, has an obligation in the future to convey several tracts of land to Clean Energy Future-Lordstown, LLC, CEF-L. The rezoning provides flexibility regarding how the required parcel transfers occur and to make sure that those parcel transfers -- including any necessary replatting and/or lot combinations -- are acceptable to the Village of Lordstown."

Number four on their list is, "A statement of how the proposed zone change will not be detrimental to the public welfare or to the property of others located in the vicinity."

And the Petitioner's response reads as follows:

"As noted above, the proposed zoning change from R-1 Residential to I-1 Industrial for Parcel No. 45-025800 is consistent with the zoning and existing uses in what is really an Industrial area of the Village. In other words, a change in the classification of this one (1) parcel in the middle of an Industrial area -- and in the middle of the proposed TEC facility -- will not fundamentally alter or change the essential character of the area surrounding Parcel No. 45-025800. Because significant portions of the adjacent parcels to the east -- Parcel Nos. 45-141120 and 45-02651 -- are wooded, a natural buffer between Parcel No. 45-025800 and the nearest residential area, remains intact to reduce the impact on the residential properties surrounding the I-1 Industrial area. Additionally, all of the parcels immediately adjacent to Parcel No. 45-025800, on the east side of State Route 45, are either owned or leased by CEF-T."

And number five is a list of names and addresses of the adjacent property owners to the within-described property.

Petitioner has provided the necessary deposit of \$500 -- and that should, basically, wrap up all that they have provided.

Village of Lordstown Planning Commission

March 13, 2022

Again, we have Attorney Matt Warnock here, Steve Remillard and Mr. Kang and Mr. Cho on behalf of Clean Energy Future-Trumbull.

MR. ROOK: Okay, gentlemen do you want to make any comments on this part?

ATTORNEY WARNOCK: Just real quick -- I think that really laid it out. That was a mouthful -- so thanks, Kellie.

This rezone application is really being done in conjunction with the replat that was just approved. They kind of go hand in hand. So, you know -- the area, as you know, is Industrial. This one (1) parcel is residential. It just really doesn't flow with the rest of zoning in the area. So by doing the rezoning, and then the replat, it just -- it really makes it consistent with the existing Industrial Park.

MR. ROOK: Okay. We have no spectators here from the public, so we don't have any comments there.

SOLICITOR DUTTON: I have a comment.

MR. ROOK: Yes, sir.

SOLICITOR DUTTON: Kellie, would you explain, for the record, where this goes from here assuming it passes.

MS. BORDNER: From here -- if the Commission passes and approves your request for zone change this evening, tomorrow morning, first thing -- I will send a letter to Mayor Hill and the Village Council letting them know that Planning Commission has approved your request for zone change, and that they are recommending that Council, also, do the same in approving it.

Then it would go through the Council process. This would require a Public Hearing before Council and three (3) readings, and it would either be passed or denied on the third reading. Assuming that it is passed on the third reading, it would then take effect thirty (30) days after the date that it's been approved.

MR. ROOK: Any other comments?

MR. SHAFFER: Yeah, I've got a question. I drove by there, and it looks like -- from all the land that's already cleared, there's like some forest. I guess "buffer" -- for lack of a better word -- between Hallock-Young and where you've got cleared out. Are you planning on doing anything with that -- or are you planning on leaving it as is or --

MR. REMILLARD: So that is, actually, an area that's not slated for being cleared at all. So there's a significant amount of wetlands and then Mud Creek cuts diagonally through that area. So that -- that lot that is down on Hallock-Young that goes over the transmission lines -- there will be some clearing over by the transmission lines because the substation will be set back into the woods. So we need a couple of access roads to get in and out -- and, ultimately, First Energy will own the substation, but the majority of those trees all will stay there and can't be touched because of the wetlands.

MR. SHAFFER: Okay, thank you.

MR. REMILLARD: You're welcome.

MR. ROOK: Any other comments?

(WHEREAS, THERE WAS NO RESPONSE FROM THE BOARD, AND
PROCEEDINGS WERE AS FOLLOWS:)

Village of Lordstown Planning Commission

March 13, 2022

MR. ROOK: Okay. We're looking for a motion to approve Case Number 01-2023, Petition for Zone Change by Clean Energy Future-Trumbull, LLC, on Parcel Number 45-025800 from Residential R-1 to Industrial I-1. Do I hear a motion?

MR. SHAFFER: I'll make that motion.

MR. ROOK: Motion by Mr. Shaffer -- second?

MR. HILL: I'll second that.

MR. ROOK: Second by Mayor Hill -- can we have a roll call vote, please.

MS. BORDNER: Absolutely -- Mr. Shaffer?

MR. SHAFFER: Yes.

MS. BORDNER: Mr. Hill?

MR. HILL: Yes.

MS. BORDNER: Mr. Rook?

MR. ROOK: Yes.

(ROLL CALL VOTE: 3, AYE; 0, NAY; 0, ABSTAINED.)

ADJOURNMENT:

MR. ROOK: Yes, it carries. We're all done. Do I have a motion for adjournment?

MR. HILL: So moved.

MR. ROOK: So moved -- second?

MR. SHAFFER: I'll second it.

MR. ROOK: All right -- all in favor?

MR. SHAFFER: Aye.

MR. HILL: Aye.

MR. ROOK: Aye.

(VOICE VOTE: 3, AYE; 0, NAY; 0, ABSTAINED.)

MR. ROOK: We are adjourned. Thank you, everybody.

(WHEREAS THE PUBLIC HEARING BEFORE THE LORDSTOWN VILLAGE
PLANNING COMMISSION, IN THE ABOVE CAPTIONED MATTER, CONCLUDED
AT 6:51 P.M.)

Submitted by:

Approved by:

Kellie D. Bordner
Planning and Zoning Administrator

Richard Rook, Vice Chairperson