

**MINUTES  
PLANNING AND ZONING COMMISSION MEETING  
January 27, 2011**

**Call to order**

The Parker Planning and Zoning Commission met on the above date. Chairman Russell Wright called the meeting to order at 7:04 P.M.

**Roll Call**

Commissioners Present:

- |                               |                       |
|-------------------------------|-----------------------|
| X Chairperson Wright          | X Commissioner Stone  |
| X Vice Chairperson Standridge | X Alternate Leamy     |
| X Secretary Pettie            | X Alternate Lozano    |
| X Commissioner Stanislav      | X Alternate Schroeder |

Staff Present

X Assistant City Administrator Jeff Flanigan, City Administrator Dena Daniel, City Secretary Carrie Smith, City Attorney Jim Shepherd

X Other(s): Mayor Joe Cordina, Mayor Pro Tem Jim Threadgill, Councilmembers Z Marshall, Eleanor Evans and Allison Sumrow  
12 others estimated in the Audience

**Pledge of Allegiance**

Commissioner Lozano led the Pledge of Allegiance and the Texas Pledge.

**Announcements by Commission Members**

None

**Appointment of Alternates**

None

**Consideration and Action on Previous Meeting Minutes**

Motion was made to accept the Meeting Minutes from November 11, 2010

<b>Motioned</b>	Tom Stone
<b>Seconded</b>	Leonard Stanislav
<b>Voted For</b>	Russell Wright, Ed Standridge, Tom Stone, Leonard Stanislav and Lee Pettie
<b>Voted Against</b>	None
<b>Abstained</b>	None

Motion was made to accept the Meeting Minutes from January 13, 2011

<b>Motioned</b>	Leonard Stanislav
<b>Seconded</b>	Ed Standridge
<b>Voted For</b>	Russell Wright, Ed Standridge, Leonard Stanislav and Lee Pettie
<b>Voted Against</b>	None
<b>Abstained</b>	Tom Stone

**PUBLIC HEARING, CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON WIND TURBINES (AKA: WIND ENERGY GENERATORS) and PUBLIC HEARING, CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON REGULATIONS FOR SOLAR PANELS.**

## Citizen Comments

Phil Reinkemeyer  
4300 Pecan Orchard Drive  
Parker TX 75002

Mr. Reinkemeyer is the owner of a company that specializes in solar panels and also does some wind turbines. He indicated that most cities' permitting process is sufficient to cover installations of solar panels and that additional regulations are unnecessary. As to wind turbines, there needs to be a minimum land size to accommodate such structures and notes that these are not efficient in North Texas.

Seven Emails accepted as a part of Record (Provided by Secretary Pettie to Chair Wright)  
These emails support allowing usage of alternative forms of energy in Parker, however there is some concern over creating a noise or visual eyesore or unnecessary regulations.

## Attachments

Emails From:

Ling Shurtz  
4004 Dublin Road  
Parker TX 75002

Sent: Monday, January 24, 2011 11:45 AM  
To: Carrie Smith  
Subject: Solar panel energy, wind energy

Yes, Parker should allow Solar Panel and wind energy in Parker. I know one house on parker road has all kinds of solar panel on the roof, it is a 1.3 million house. You cannot see from the street, it is done very professional and very nicely!

Sincerely  
L Shurtz  
4004 Dublin Rd

Terry K. Lowrey  
4206 Glen Meadow  
Parker TX

**Sent:** Tuesday, January 25, 2011 9:27 AM  
**To:** Carrie Smith  
**Subject:** Wind Turbines & Solar Panels

1-25-2011

Carrie - I am unable to attend the P&Z meeting this Thursday night but wanted to give you my thoughts on this subject.

Wind Turbines

1. I think that wind turbines should be allowed with several restrictions; height restrictions, area restrictions (not allowed on lots less than 1 acre) and setbacks from property lines.
2. A Maximum Decibel levels at the property line for protection of neighboring property. Some make a maddening whine so the DB level should be VERY LOW! I think that it would be appropriate that there should be a permit required to install one and that a DB reading should be taken by the inspector at some percentage of capacity or wind speed, prior to acceptance.
3. Not located in the front or side yards.

Solar Panels

1. Must be in/on the rear of the house
2. Not visible from the street
3. IF ground mounted must be 100%screened from neighboring property lines at time of installation

I think that once public input has been received, that a set of the P&Z recommendations should be available to the public (30 days notice) for review prior to voting on the issue. My biggest fear is the turbine noise.

Thanks for your consideration.

**Terry K. Lowrey**  
**4206 Glen Meadows Dr.**  
**Phone (972) 241-5959**  
**Fax (972) 241-5540**  
**Cell (214) 728-7878**

Ann Stormer McCook  
2900 Dublin  
Parker TX 75002

**Sent:** Tuesday, January 25, 2011 10:12 AM  
**To:** Carrie Smith  
**Subject:** Comments for next city meeting to discuss alternative energy solutions...solar & wind  
**Importance:** High

Hi Carrie,

We will not be able to attend the meeting Thursday, but I have the following comments I'd like to share:

As long as these things are not an eyesore, I don't have a problem with them. The only solar things I know of are typically mounted on the roof of a structure, or on the ground. So, these would not be an eyesore. If there are other ways they're mounted up on poles looming over houses, etc, well, that's an entirely different thing.

On the subject of wind energy, I would be very concerned about two things: 1. Eyesore, 2. Noise factor. I have seen wind fields & while it's kind of neat to see out in the middle of nowhere, WE are not in the middle of nowhere! These structures are usually very tall, taller than a 2 story house & I believe they can make considerable noise.

My concern is to protect the beauty & tranquility of our precious little town!

Thanks for your time,

Ann Stormer McCook

2900 Dublin Road.

Tom Brennan  
6002 Tamsworth Court  
Parker TX

**Sent:** Tuesday, January 25, 2011 10:14 AM  
**To:** Carrie Smith  
**Subject:** Zoning commision letter

Dear City Council,

Please do not put significant restrictions on our residential freedoms for solar or wind power.

I believe local Parker HOA's have restrictions of their own.

Kind Regards,  
Tom Brennan  
6002 Tamsworth Ct

Debbie Piziali  
6616 Estados Drive  
Parker TX

**Sent:** Tuesday, January 25, 2011 9:34 AM  
**To:** Carrie Smith  
**Subject:** Parker P & Z meeting

Hi Carrie,

I will not be able to attend this city meeting for this Thursday on regulating alternative energy. I am totally against the city imposing regulations on what property owners what to do on their own property. Give people the ability to make and take care of their own place without city interference.

Thanks,  
Debbie Piziali

Andrew Piziali  
6616 Estados Drive  
Parker TX

From: Andrew Piziali  
To: Parker Planning and Zoning Commission  
Date: January 27, 2010  
Subject: Regulating Residential Wind Turbines and Solar Panels

Ladies and Gentlemen of the Commission,

Thank you for giving me the opportunity to address January 27, 2010 P&Z agenda items four and five, consideration of regulation of residential wind turbines and solar panels in Parker.

Parker is a semi-rural city with neighbors who generally not only know one another, but have long-lasting relationships over several generations. For example, in our neighborhood of Poco Estados most residents have lived in their homes for over twenty years, such as my neighbor Chuck Molyneaux and I. In Poco Estados we rejected homeowner associations because we believe in settling disputes among ourselves rather than delegating that authority to a quasi-governmental agency. Newer neighborhoods, such as those of Springhill Estates and Parker Lake Estates inherited homeowner associations with the purchase of their homes. The homeowner associations, of course, regulate activities within their respective jurisdictions. Why then consider city-wide regulation of alternative energy solutions?

We value our freedoms in both environments and, moreover, the local relationships and jurisdiction that allow us to negotiate agreeable solutions among ourselves. We have no need nor desire to further empower city government to regulate what we may and may not build on our properties. Whether my neighbor is considering installation of a wind turbine or a solar panel array, we know we are responsible for discussing such decisions with one another as a matter of courtesy, if

nothing else. The resurgence of residential alternative energy solutions in Parker will be another feather in our cap, while facilitating further resilience and redundancy during power outages.

Leave your Parker neighbors free to innovate energy solutions that meet their local needs and continue to build relationships with their fellow homeowners that allow peaceful co-existence. With each additional regulation passed by city government, the freedom of Parker residents is further reduced. To borrow an idiom from the World War I: "Live and let live."

Thank you for volunteering your time to serve on P&Z and hear (and read) input from your Parker neighbors.

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Andy@Piziali.dv.org

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Cindy Meyer and Chuck Molyneaux  
6618 Estados Drive  
Parker TX

To: The Parker P&Z Commission

From: Cindy Meyer & Chuck Molyneaux,  
6618 Estados Dr, Parker

Re: Citizen Input on Wind/Solar Energy Generation

We are unable to attend the meeting but would like to submit our input. We have lived in Parker for 25 years. The primary reason we built our home in Parker was to have a larger lot size for our personal use.

The Planning and Zoning Commission must first consider the rights of the citizens which will be affected by their recommendations. Personal property owned by the Parker citizens should be first governed by its rightful owner, not by a council, or some ruling body. Homeowners who live under the auspices of a homeowner's association must abide by the rulings of their HOA. Those that live outside of a homeowner's association must abide by the rules imposed by their city government. Ordinances should be suggested or enacted while keeping in mind a clear definition of infringement -- imposing the least infringement possible on the homeowner. If one homeowner does not infringe on their neighbor's rights, there should not be any restrictions regarding wind or solar power generation. Where excessive noise is created or visual impairment occurs, limitations should be imposed. If neither occurs, no ordinance should be placed upon a homeowner and they should be free to use their property as they see fit.

The Planning and Zoning Commission is facing a very fundamental and constitutional question regarding property rights, in limiting how a property owner can use their most important asset. Focus your efforts on defining infringement and construct the wording of your suggestions to prevent infringement from one neighbor to another.

Those on the commission who live outside the confines of a HOA should create the recommendations. To alleviate bias, commission members that live within an HOA should remove themselves until the wording has been finalized. Each HOA has been granted privileges which allow it to restrict the rights of property owners, and therefore has no need for city government involvement.

Thank you.

### **STAFF COMMENTS**

Jeff Flanigan noted that installation regulations must follow the currently adopted Building and Electrical codes.

### **Future Agenda Items**

None


### **Adjourn**

Adjourned at 7:31 p.m.

Minutes Approved:

  
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Russell Wright, Chairman

Attest:

  
\_\_\_\_\_  
Lee Pettie, Secretary