

PENN TOWNSHIP PLANNING COMMISSION

MINUTES OF SEPTEMBER 18, 2023

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The Penn Township Planning Commission (PTPC) met on September 18, 2023 at 6:00 p.m. in the Municipal Building. PTPC members present were Forrest Woodward, Art Dalla Piazza, Robin Bahrenburg, Meranda Harwood, and Forrest Woodward. Others present were Helen Klinepeter (Secretary) .

WORKSHOP

The Workshop started at 6:00 p.m. for the amendment of the Solar portion of the Zoning Ordinance. The Planning Commission made the following changes.

B. Definitions

1. **ACCESSORY SOLAR ENERGY SYSTEM:** An area of land and equipment or other area used for a solar collection system to capture solar energy, convert it to electrical energy or thermal power and supply electrical or thermal power primarily for on-site use, same owner on adjacent land. An accessory solar energy system consists of one (1) or more free-standing ground, or structure mounted, solar arrays or modules or solar related equipment and is intended to primarily reduce on-site consumption of utility power or fuels.

C. Accessory Solar Energy Systems (ASES)

1. Regulations Applicable to all Accessory Solar Energy Systems: Replaced with the following:

- d) For residential applications, a home improvement contractor must be registered with the Attorney General's office.

Add the following:

- l) The ASES should be designed to use all energy created on site.

2. Roof Mounted and Wall Mounted Accessory Solar Energy Systems:

Replaced with the following:

2. a. Solar panels shall not extend beyond any portion of the roof edge and not exceed fifteen (15) feet in height.

Exception: Solar energy systems located on a flat roof shall not exceed fifteen (15) feet in height above the height of the roof. In all zoning districts such facilities shall be screened by parapets, walls, fences, or other approved means as viewed from the lot line, except for the industrial zoning district.

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- d. Structure mounted solar panels on walls or pitched roofs shall be located on rear or side-faces as viewed from any adjacent street unless the applicant demonstrates that, due to solar access limitations, no location exists other than the street-facing roof or walls, where the solar energy system can perform effectively.

3. Ground Mounted Accessory Solar Energy Systems:

Replaced with the following:

- b. Height - Ground mounted ASES shall not exceed fifteen feet (15 ') in height above the ground at any point.
- c.2. The total surface area of the arrays of residential use ground mounted ASES on the property shall not exceed Ten percent (10%) of the lot area.
- c.4 All mechanical equipment of the system including any structure for batteries or storage cells.

The workshop closed upon a Woodward/Bahrenburg motion at 6:59 p.m. The meeting opened at 7:00 p.m.

A list of visitors attending is available in the Township Office. The meeting was recorded to aid in the preparation of the minutes. Chairman Dalla Piazza called the meeting to order.

VISITORS

William Roberts – Mr. Roberts offered that there were questions on the Solor. The asked questions of Noise Study, no trees, decommissioning, increasing coverage of lot and the PTPC responded to the changes already discussed and answered all requests.

SUBDIVISION AND LAND DEVELOPMENT

The Nature Conservancy – Elizabeth Hudson of The Conservancy asked where the plan was. The PTPC offered they were waiting for the plan to return to the PTPC after steep slopes were addressed. The Planning Commission gave guidance on the next steps. Secretary offered that a time extension was submitted for approval. Upon on Woodward/Harwood motion, the PTPC voted unanimously to recommend that the time extension was recommended to accept the time extension until December 27, 2023 .

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Minutes – The minutes were tabled.

The PTPC reopened the workshop with the following items being discussed.

Add the following:

- a.3 All nonresidential ground mounted ASES shall be completely enclosed by fencing that consists of a minimum six (6) foot high fence with a locking gate, or as designated by the municipality. A clearly visible warning sign shall be placed at the base of all pad-mounted transformers and substations and on the fence surrounding the ASES informing individuals of potential voltage hazards.
- a.4. Residential Ground Mounted ASES shall be screened from any adjacent property that is residentially zoned or used for residential purposes. The screen shall consist of a plant or shrub which provides a visual screen, at least six (6) to eight (8) feet when mature. In lieu of a planting screen, a decorative fence may be used.
- c.4. All mechanical equipment of the system including any structure for batteries or storage cells

D. PRINCIPAL SOLAR ENERGY SYSTEMS (PSES)

1. Regulations Applicable to All Principal Solar Energy Systems:

Replaced with the following:

An application for a PSES shall provide a project narrative which includes an overview of the project, site layout, the generating capacity, the number, representative types, and heights of facilities to be constructed, including their dimensions, capacity and manufacturers equipment descriptions and specifications. Provide a description of any ancillary agreements between the property owner(s) and solar-energy facility owner or operator demonstrating permission to apply for necessary permits for construction and operation of the solar energy facility. Provide description of compliance with Federal, State, and local requirements and permits by any governmental agency.

A Contingency Plan of Emergency Procedures shall be developed by the PSES owner consistent with standard operating practices of the industry and furnished to the Municipality, the local fire company, and the County Department of Emergency Services at the time an application is submitted. The same shall be reviewed and updated, if necessary, every five (5) years.

- a. PSES shall be permitted to be used in the Industrial (I), Agricultural/Rural (AR) and Mixed-Use Commerce (MUC) Zoning Districts.

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- d. If a PSES is being used for commercial/industrial activity on another property of the owner, then the municipality shall be informed of the intent of the PSES.
- h. Noise from a PSES shall not exceed noise limitations in Article XIII, Section 1315 of the Zoning Ordinance. If requested by the Township a noise study shall be performed by an independent noise study expert at the applicant's expense.

Add the following:

- o. PSES shall prevent concentrated solar radiation or glare projection onto nearby structures, roadways or beyond the boundaries of the land upon which it is located. The applicant has the burden of proving that there is no adverse impact on neighboring or adjacent uses. The Township may, in its sole and absolute determination, require applicant to provide the Township with a glare report/study. The said report/study may be required at the time of application or any time thereafter. The said report/study shall be subject to review and approval by the Township. The cost of the review and approval shall be paid by applicant or owner.

3. Ground Mounted Principal Solar Energy Systems:

Replaced with the following:

- I.1, An access road, turnaround space and parking shall be provided to ensure adequate emergency and service access and shall be improved with dust-free all-weather surfaces.
- I.,2, Maximum use of existing roads, whether public or private, shall be made to the extent practicable. Where applicable, the owner shall present documentation to the Township that the property owner has granted an easement for the proposed facility. The easement shall be a minimum twenty (20) feet in width.

Upon a Woodward/Hardwood motion, the PTPC recommended that the amendments be sent to the PTS for review with any comments to be returned by the next meeting.

Amend the Agenda – Upon on Dalla Pizza/Woodward to amend the agenda to add Solar Amendments.

Adjournment – Upon a Bahrenburg/Woodward motion, the PTPC closed the meeting at 8:32 p.m.

Respectively Submitted;

Helen Klinepeter

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Recording Secretary