

The Peach Bottom Township **Planning Commission** met on **September 17, 2019** at 7:00 p.m. in the Municipal Office Building. Members present Frank Diamond (Chair), David Thompson (Vice Chair), David Stewart, Todd Steiner, Benjamin Hushon and Wesley Carter.

- **Motion** to accept the minutes as presented was made by Member Steiner and 2nd by Member Carter, vote 6/0.

New Business

Zoning Hearing Board Meeting Request

Fleischmann, 180 Pikes Peak Road, Map BP Parcel 57D

Variance to Section 210 Yard Regulations

The applicant wants to construct a 37' x 57' barn in the front yard. The rear yard is a hill; the other side yard is used for the septic system. It will be located on the old barn foundation, but will extend beyond that into the front yard. This will also be a sound barrier from the gun club.

- **Motion** we recommend the Zoning Hearing Board grant the Variance to Section 210 Yard Regulations Accessory Building in the front yard area was made by Member Stewart and 2nd by Member Carter, vote 6/0.

Subdivision and Land Development Plans

Suter – 801 Bryansville Road, Map BO Parcel 45C & 45S – lot line adjustment

The York County Planning Commission comments were reviewed. An alternate septic location has been tested.

- **Motion** to approve the plan was made by Member Stewart and 2nd by Member Steiner, vote 6/0.

Amish School House – 1055 Flintville Rd, Map BQ Parcel 8 – Land Development Plan

Simeon Stoltzfoos, owner

The York County Planning Commission comments were reviewed. The first comment concerns small school permitted as a principle use not an accessory use as noted on the plan. The attorney and members discussed this issue of 2 principal uses on one parcel.

- **Motion** to approve the plan was made by Member Diamond and 2nd by Member Thompson, vote 5/1 Carter.
- **Motion** to recommend the Board of Supervisors add small school as an accessory use in the agricultural zone was made by Member Carter and 2nd by Member Steiner, vote 6/0.

Ordinances

Solar Energy Systems

The amendment to the Zoning Ordinance will allow Solar Energy Systems in the commercial zone, along with the Industrial under a special exception. The York County Planning Commission comments were reviewed.

Comment #2 noted the gap between 8Kw permitted by right and a power rating of more than 10Kw shall be considered a Principal Solar Energy System. What about in between?

- **Motion** to change the 10 Kw to an 8Kw in Section 309A.a was made by Member Carter and 2nd by Member Diamond, vote 6/0.
- **Motion** to add a definition for “PV” when referring to an accredited PV training program was made by Member Diamond and 2nd by Member Hushon, vote, 6/0.
- **Motion** to change Section 309A, subsection C.3 to be consistent with the Townships storm water management requirements was made by Member Diamond and 2nd by Member Hushon, vote 6/0.
- **Motion** approve the recommended YCPC Edits was made by Member Hushon and 2nd by Member Steiner, vote 6/0.
- **Motion** to forward the proposed Solar Energy Systems addition to the Zoning Ordinance, with the noted changes, to the Board of Supervisors was made by Member Thompson and 2nd by Member Diamond, vote 6/0.

Tyrone Baccile & Micah Fuchs, representing Dynamic Energy, on behalf and with land owners that desire to lease their land for a 3-5 megawatt Solar Energy System. They are asking for an adjustment to the ordinance allowing this use on agricultural land for these land owners to increase their financial stability. They recommend this use, following state guidelines, by Special Exception so the use can be controlled. They explained community solar, benefits to electric subscribers, agriculture diversification, and provided land characteristics of the township showing viable properties for solar.

Hamilton Carrier, representing Ironwood Renewables, LLC informed that although there might be 10-40 possible sites, location of substations and capacity will narrow that down to 4-7 sites which are very optimistic. Most towns this size will see 2-3 projects consisting of 30 acres each.

Craig & Jennifer Metzler, farmers in the Township are attempting to make a living. The proposal is not a lot different than what we are doing on a daily basis. They are taking the sun and growing a crop that is harvested. This crop will be in the field all the time, but it is still taking that sun and transferring it unto something usable for the community. It could help them stay sustainable, stay a family farm and build something for their future. They have the infrastructure to support this project. Mr. Metzler feels the community would support this buffer next to the Residential Zone.

Attendees discussed House Bill 531 which allows Solar Energy Systems to sell electric to the community, its possible passage and ramification thereof.

Sharon Kahl asked about the life span of a solar panel. She was informed that they are warrantied for 20 years by the manufacturer, with the assumption that they will last for 30-40

years. She has issues with calling it clean energy, comparing apples to oranges, crops become fertilizer, and solar panels become trash.

The panels can be recycled and the clean energy is referring to no emission when producing electricity.

What happens if you lose all the grants? That depends on the market, Pennsylvania is just starting to open up the solar program, and the grants support the start of the solar projects.

Having enough power to cover night time and cloudy day usage was also questioned.

Dynamic Energy informed that this is not done on a knee jerk reaction a lot of research goes into the decision of location & community. The Township is making a decision to limit opportunity.

Sammy McConnell asked where the solar panels are produced. Most are made in China and South East Asia.

William Tenney asked about economic benefits to the Township. Once clarified, South Eastern School District may receive more tax revenue.

Bob Langrehr, owner of a 50 acre viable solar energy project location noted that the money goes back into the community from people that live here.

Member Diamond recited for the Zoning Ordinance “The preservation of prime agricultural land for agricultural purposes.”

Ann Forcey, owner of a 68 acre viable solar energy project location noted that there will be native grasses which help pollinators, bees. These panels are temporary. It is nothing that is damaging, look at all the gasoline used to plow the field, there are no emissions and no noise.

Member Steiner asked were the closest community solar project was located. He was informed that there is one in Maryland that has been operational for 2 years. The Quarryville Pennsylvania location is a pilot program started by a private development company. Other locations are in Massachusetts and New York.

Member Steiner then asked what happens if the subsidies dry up, who will be responsible for the clean-up.

Dynamic Energy stated that this can be dealt with in the ordinance requiring an escrow, bond or letter of credit.

Bob Langrehr inserted that he has read 5 different contracts; all note they are responsible for decommissioning the site and returning it to its original state.

Sammy McConnell asked what would happen if the property owner needed to sell. He was informed that the lease stays with the property.

Member Hushon, requested clarification in reviewing the “Land Characteristic in Peach Bottom” map concerning the possible number of projects in the township.

Dynamic Energy & Ironwood Renewables informed that the power grid lay-out is another consideration. Besides not being able to reach the grid, each substation can only take so many projects; a substation upgrade can be cost prohibitive. There are only 3 substations in Peach Bottom Township; 3-7 sites are possible.

The reason they are interested in this area is because it is PECO territory. PECO electric prices are higher, they have to look at the markets, to make money and save people money. A financial review is part of the whole process.

- **Motion** to rescind the original motion forwarding the proposed Zoning Ordinance to the Board of Supervisors until more information and education can be acquired on the issue of Community Solar Energy Systems was made by Member Steiner and 2nd by Member Carter, vote 6/0.

The Township Attorney asked for clarification on Agricultural Land or Zone and soil quality. The Energy companies replied that it is the zone, allowing solar energy as a use by special exception in the agricultural zone on non-prime/low quality soil. They think there is a way to find common ground while meeting the same objectives.

Member Carter requested a copy of the Planning Advisory Service model ordinance.

Member Thompson asked if they would be the ones building, marketing, managing and maintaining the project. Dynamic Energy informed that they would do everything, but may get financing for the project.

Sharon Kahl notes that bank loans need collateral, if you lease the land it is not yours to offer as collateral. She was informed that the project is an asset; it has a long term lease and can be sold.

Dynamic Energy & Ironwoods Renewable will work to provide locations of existing Community Solar Energy Projects for a possible site visit.

The attorney inserted what would need to be incorporated into an ordinance amendment allowing such a use in the agricultural zone. He then asked the energy company representatives for ordinances passed by other municipalities within the PECO service area.

Sharon Kahl asked if allowing this non-agricultural use, would it require hearings. She was informed that under use by special exception, Zoning Hearing Meetings, allowing adjoining property owners a voice their opinions would be required.

Member Thompson asked for project acreage and was informed that the minimum is 15 acres to a maximum of 30 acres per site.

- **Motion** to adjourn at 9:23 p.m. was made by Member Hushon and 2nd by Member Diamond vote 6/0.