

The Peach Bottom Township **Board of Supervisors** met on **July 1, 2020** at 7:00 p.m. in the Municipal Office Building. Members present David Gemmill (Chair), Michael Kahl (Vice Chair) and Andrew Jarvis.

- **Motion** to accept the minutes as presented was made by Supervisor Kahl and 2<sup>nd</sup> by Supervisor Jarvis, vote 3/0.

### New Business

#### 2019 Municipal Audit

First year Auditor Christopher Warne Sr. introduced himself and Auditor Judy Sinclair, Auditor Mary Roycroft was unable to attend. He educated on the objective of a municipal audit. The auditors put in 60.5 hours analyzing, reviewing, comparing, questioning and checking files as thoroughly as possible. All was found to be in perfect order and the 2019 Annual Financial Report was filed electronically to DCED and posted in the local Star paper. Supervisor Jarvis gave the auditors a tour of the maintenance building showing off their organizational and safety skills.

Two concerns were raised by the Auditors.

- Computer files should be backed-up on a safe Data Storage, located in a fireproof area nightly.
- A 24/7 surveillance camera be installed to view all of the office & maintenance accesses along with any outdoor storage areas. .

### Old Business

Richard Ammons – 296 Black Oak Trail, Map 1 Parcel 361

Location of Accessory Structure in the front yard.

Mr. Ammons informed that after 2 years and 2 different permit applications, he has been informed by the Township Zoning Officer that there is adequate space beside the house to place an accessory structure. To access this area, the grade is in excess of 25% and only accessible 90% of the time. He recommended that the ordinance be changed to add carport along with garage and a specific grade of the land as being accessible by motor vehicle.

### Subdivision and Land Development Plans

Neumann & Roth – 297 Kilgore Road, Map BP Parcel 10B, 29.77 acres

Land Development Plan for a farm hand dwelling – Sewage Planning Module approved.

The board reviewed the agreement and plan.

- **Motion** to approve the development agreement was made by Supervisor Kahl and 2<sup>nd</sup> by Supervisor Jarvis, vote 3/0.
- **Motion** to approve the Land Development Plan contingent on a note being added stating that this farm hand dwelling uses the second and final building right for this property was made by Supervisor Jarvis and 2<sup>nd</sup> by Supervisor Kahl, vote 3/0.

Jarrettsville Truss Company / Delta- Cardiff Volunteer Fire Company – Map AP Parcel 7

Subdivision/Land Development Plan. Sewage Planning Module approval requested

The Plan has been submitted to YCPC and the Township engineer for review.

- **Motion** to approve the DEP Sewage Planning Module was made by Supervisor Jarvis and 2<sup>nd</sup> by Supervisor Kahl, vote 3/0.

#### Delta Ridge

Robert Holweck, representing the Delta Ridge Development, informed the board that they are working to complete all the improvements in order to dedicate the roadways to the Township. All the storm water basins have been converted and the as-builts are being completed. The original agreements are being reviewed for final compliance. The plan is to have everything completed and dedication by Resolution at the August Board of Supervisors meeting.

Required ordinances for the speed limits and other enforceable road signs were discussed. Funds can be held until finalization of those ordinances. The Township engineer is reviewing the development for compliance with the original subdivision plan. A maintenance bond will be in effect for 18 months after dedication.

#### Ordinances

##### Solar Energy Systems

- **Motion** to close the Supervisor Meeting and open a Public Hearing was made by Supervisor Kahl and 2<sup>nd</sup> by Supervisor Jarvis, vote 3/0.

Ryan Hoke, representing Dynamic Energy a Solar Development Company, requested the board reconsider the previously recommended changes to the ordinance allowing principal solar energy systems, by special exception, in the agricultural zone. He noted all the benefits to the Township as a whole.

Richard Ammons stated that solar should be a use by right in any district.

Jennifer Metzler, an agricultural property owner stated that it is unfair to not allow it on agricultural land; they already have electric towers running through their property. This would allow them to continue to farm and purchase more farm property for the next generation who wants to farm.

Hamilton Carrier with Ironwood asked the board to look at the benefits and reconsider solar on agricultural land.

Ann Forcey, an agricultural land owner is in support of the solar projects, it will bring money into the community. We could use the support, please reconsider

Robert Langrehr, an agricultural property owner on Papermill Road, in wanting to keep this land in the family also asked for the board to reconsider.

David Langrehr stated that solar is a win for everyone.

David Thompson questioned the legislation that is needed to allow these projects; he was informed it was dead.

Judy Sinclair asked what acreage amount is needed for these projects and was informed that between 15 and 25 acres is the footprint.

The Planning Commission minutes were reviewed for the vote on solar energy systems; the vote was not unanimous.

Chip Diamond stated that if you allow this commercial entity on agricultural land, you open it up to other commercial activity.

Supervisor Gemmill addressed the attendees. He has spent a lot of time and talked to a lot of people. The Township has had zoning for years, if you allow this; the zoning goes out the window. The supervisors are the ones that have to answer to the next commercial entity in a

noncommercial zone. All 3 Supervisors have been contacted by solar companies for use of their agricultural land. He is not against solar, but the Township has commercial and industrial ground for this use.

The solar representatives noted that the upgrades required by PECO make the current industrial and commercially zoned land not as feasible. When the project is finished the land is returned to its original agricultural use.

Matt Langrehr is in support of his family and stated that they are not talking about thousands of acres. You would see 3-5, 15-20 acre solar farms.

Sammy McConnell noted that federal tax subsidies support solar energy.

Richard Ammons stated that you have to look at the future cost to the environment

Sharron Kahl noted that there is an environmental cost to remove/recycle the panels.

Ben Metzler, after attending these meetings, does not understand the push back, you cannot stop change. Farmers want to provide for their families.

Sharon Kahl stated, this is not agricultural, it is commercial and if you allow this, but turn the next commercial entity down, you would be accused of discrimination.

Jeff Forcey educated that solar farming more closely resembles farming than factories or Walmart. You are harvesting solar rays to create energy; we are growing corn to create ethanol.

David Thompson stated that if cannot farm without a solar field you shouldn't farm.

Judy Sinclair asked what the down side is, when you are done isn't it biodegradable.

The solar representatives noted that the panels are recycled by decommissioning companies.

Sharon Kahl questioned the location of these companies; her understanding is that they are located in China.

- **Motion** to close the Public Hearing and open the Board of Supervisors Meeting was made by Supervisor Kahl and 2<sup>nd</sup> by Supervisor Jarvis, vote 3/0.

The attorney clarified, Principal Solar Energy Systems will be allowed by Special Exception in the Commercial and Industrial Zones.

- **Motion** to adopt the Solar Energy Systems Zoning Ordinance amendment was made by Supervisor Kahl and 2<sup>nd</sup> by Supervisor Jarvis, vote 3/0.

## Reports

### Solicitor

The board will go into executive session for the solicitor to update them on the Exelon Tax Assessment and District Justice hearings.

### Treasurers Report

- General Fund - \$1,723,921.91
- Liquid Fuels Fund - \$1,486.48
- Sewage Fund - \$22,185.33
- Recreation Fund - \$20,827.50
- **Motion** authorizing the payment of bills was made by Supervisor Jarvis and 2<sup>nd</sup> by Supervisor Kahl vote 3/0.

## Supervisors

For the past month the road crew has been mowing, spent a week and a half rebuilding Hollow Road after 6 inches of rain, finished tar & chip and then went back to mowing.

Hollow Road culvert was in the DEP permitting process and is now in the emergency permitting process. The culvert, provided by Lane Products is under the state Costars purchasing program, but requires a lead time of 4-6 week.

- **Motion** to order the culvert for Hollow Road under Costars once the specifications have been approved was made by Supervisor Kahl and 2<sup>nd</sup> by Supervisor Gemmill, vote 3/0.

Supervisor Jarvis informed of a driveway that was paved on Gemmill Road without a permit. The paving company equipment damaged Gemmill Road which had been sealed 2 weeks earlier. Repair costs, including mobilization are estimated to be \$2,500.00. The contractor has been uncooperative, offered a charitable donation to make it go away and was to attend tonight's meeting.

- **Motion** authorizing the attorney to contact all parties involved in the driveway paving & road damage violations was made by Supervisor Kahl and 2<sup>nd</sup> by Supervisor Gemmill, vote 3/0.

1004 Cooper Road, Map AR Parcel 1D, was transferred without a Realty Sewage Inspection. The inspection fee was paid, but the responsible party has evaded scheduling the required inspection.

- **Motion** authorizing the attorney to contact the purchaser to resolve this violation was made by Supervisor Kahl and 2<sup>nd</sup> by Supervisor Jarvis, vote 3/0.

A zoning permit was received for a structure that requires a storm water management, but is being placed on existing millings. The manager asked for confirmation of this requirement which was confirmed.

Supervisor Gemmill thanked all the volunteers that helped put on the York County BBQ Festival. It was low key, not open to the public, only to the 84 competitors. A man from Ohio won first place this year and will go to the Kansas City Cook-Off.

The New Covenant Church band played background music for the competitors and would like to use the facility on Friday July 17<sup>th</sup> between 7:00 and 8:30 p.m. to play for the community.

- **Motion** allowing the use of the Recreation Center grounds on Friday July 17<sup>th</sup> from 7-8:30 p.m. contingent on social distancing and to waive the rental fee was made by Supervisor Kahl and 2<sup>nd</sup> by Supervisor Jarvis vote 3/0.

An Executive Session was held on June 25, 2020 concerning negotiations on the Exelon road agreement.

- **Motion** to adjourn the Supervisors Meeting to an Executive Session was made by Supervisor Kahl and 2<sup>nd</sup> by Supervisor Jarvis, vote 3/0.
- **Motion** to close the Executive Session and reconvene the Supervisors Meeting was made by Supervisor Kahl and 2<sup>nd</sup> by Supervisor Jarvis, vote 3/0.
- **Motion** to adjourn at 9: 00 p.m. was made by Supervisor and 2<sup>nd</sup> by Supervisor, vote 3/0.