

NORTH ANNVILLE PLANNING COMMISSION

MINUTES OF JULY 6, 2021

The North Annville Planning commission met at the Union Water Works Fire Company Social Hall on July 6, 2021 for a regularly scheduled meeting. Members of the Commission in attendance were: Randy Leisure, Brian Keck, Nelson Heagy, Charlie Bomgardner & Ben Bow. The following people from the community were also in attendance: Curty Yordy, Clyde Meyer, Eric Brummer, Lo Lynn Prummer, Aaron Miller, Gary Thompson, Steve Bowman, Rebekah Sanders, Ken Bohr, Grady Summers, Brent Kaylor, Julie Kaylor, Eric Wolfe, Tom Tschudy, Brian Tschudy, Chand Tschudy, Skip Moyer, Larry Buffemeyer and Brenda Buffemeyer.

Nelson Heagy called the meeting to order at 7:30 pm.

A motion was made by Ben Bow and seconded by Charlie Bomgardner to approve minutes from the June 7, 2021 meeting with deletion of paragraph containing planning commission recommendation to township supervisors. Motion passed unanimously.

This meeting was for public comment about revising Ordinance 2-2019 to cover the township for future solar farm projects.

Nelson Heagy, chairman of the planning commission read a statement from the planning commission that he had ready for the postponed Lebanon Solar LLC conditional permit meeting. This statement said there was no communication between Lebanon Solar LLC and the planning commission prior to the June 7, 2021 planning commission meeting. He mentioned the Lebanon Solar LLC was not abiding by ordinance 2-2019 that there were properties that were over 50% coverage and some without any coverage. The planning commission was recommending to the township supervisors to vote no for the conditional permit.

Aaron Miller spoke that the revised ordinance needs to be clarified. We need to have a definition of a solar farm included in the ordinance and also clarify differences between net metering and solar farms. Met Ed's definition of net metering is any over 2 megawatts.

Commented [A1]:

Brent Kaylor question the planning commission for inserting statement not recommending Lebanon Solar LLC to the supervisors. The planning commission then voted to delete that section. He also questioned statement that the original property owner who approached the planning commission was Alan Hostetter who also had 2 other farms in his group for over 200 acres.

Grady Summers made the following suggestions for revisions to current 2-2019 ordinance:

1. Define Accessory Use (Accessory Solar Energy System) vs Principal Solar Energy System (PSES) vs "Net Metering."
2. Lot size & coverage: solar panel coverage should not be allowed to exceed coverage in the Ag Zone (e.g., 30%). I would like to see a more stringent requirement for utility-scale solar (such as "the lesser of 10% or 20 acres") but I believe it would be faster just to say solar use inherits the coverage of Ag.
3. Setback from property lines must include all elements of the project (e.g., fencing and vegetative border).

4. Must be built according to standards (UL, ANSI, ASTM), etc. A list of the various requirements can be copied from any other municipality's ordinance.
5. We should require regular re-assessments of removal costs and confirmation of bonding (Cumberland Twp has every five years).
6. Operator must have complaint/concern hotline and respond to complaints from public or zoning enforcement office.
7. We should provide more detail around when decommissioning is triggered (X months of inactivity), and the final state after decommissioning, (e.g., "must return site to original condition" (this is in Cumberland Twp's ordinance).
8. Must require all lines to be buried underground when feasible.
9. Must regulate the glare. College Twp, PA requires applicants to demonstrate how glare will be limited, and to provide an assessment based on the "Solar Glare Hazard Analysis Tool" to demonstrate the exact glare impact to the Township.
10. We should provide more details on vegetative buffer.
11. Where Scenic Roads or Natural Areas are designated in our Comprehensive Plan, we should require *additional* setback from these areas. For example, a 150-foot setback from any Scenic Road or Natural Area.

Tom Tschudy spoke stating the current ordinance is woefully inaccurate and does not address property values, safety issues with fences, noxious plants in solar areas and that insurance levels are too low.

Larry Buffemeyer questioned whether solar panels are impervious or pervious which would affect MS4 tax. He stated in his research that property values would go down approximately 50% in areas next to solar farms. He mentioned that we should include a sound ordinance for solar substations.

Eric Wolfe stated that soil samples need to be taken to check for any leaching of chemicals from solar panels.

Brian Tschudy stated that no farmland can be used within 10 years of the solar panels being removed and turned back into agriculture until an independent firm does environmental entity testing.

Eric Brummer stated the bond should include costs for reclamation of the solar panels.

Grady Summer stated that Bethel Township has an independent agency to check environmental impacts.

Brent Kaylor questioned why we are considering reducing the % coverage in current ordinance.

Tom Tschudy stated that ordinance needs to have someone monitoring whether solar panels are still working.

Eric Wolfe stated that a report from the solar farms needs to be generated with amount of energy generated and the bond for recommissioning be determined by township engineers.

Brenda Buffemeyer stated that she had conversation with GLRA that they will not take used or broken solar panels and they need to go to a special recycling center.

Aaron Miller made the following points:

- 1) The solar farm ordinance should be working together with the Comprehensive Plan

- 2) We need to define lot vs. tract
- 3) Permitter fencing and buffering shall be set back minimum of 50 feet
- 4) Height of buffer for solar farms should mirror telecommunication buffers
- 5) The percentage coverage should be calculated by using the perimeter of the solar farm to allow the balance for agriculture, forestry, public conservation areas, single family detached dwellings, mobile homes, customary accessory uses and structures and outdoor wood fired boilers
- 6) The applicant must demonstrate that is has adequate liability insurance in minimum of 2 million per incident and 3 million per aggregate.
- 7) Bonding requirement to consist of cost of removal of solar panels back to agriculture and should be verified by township engineer
- 8) The approved plan must be approved stormwater management plan required by Lebanon County.
- 9) There should be off street parking for people monitoring the solar farms

Brian Tschudy stated that the fencing closer to homes can not fence of sewer systems so the house can function.

Larry Buffemeyer stated solar farms are not saving farms as the solar farms should to north in the stated to areas where there is less population and farmland.

Brian Tschudy brought up if Lebanon Solar is paying property taxes for farmers involved in solar farms then they could become a squatter.

Skip Moyer made a point that 30 years is a long time and wants farms to benefit from solar but not be an eyesore.

Curt Yordy stated that home solar panels are the same as ones used on solar farms.

Aaron Miller Sr. stated that the fencing should be 6' chain link and have 3 strands of barb wire at top.

Brent Kaylor questioned the need for barb wire.

Curt Yordy questioned whether we could have a moratorium on future solar farms until we rework our ordinance.

Charlie Bomgardner made a motion to revise ordinance 2-2019 and was seconded by Ben Bow, mothion passed unanimously. This revision will happen at a public working meeting by the North Annville Planning Commission on Thursday, July 8 at 7 pm at the Union Water Works Fire Company, 2875 Water Works Way, Annville, PA 17003. At that time, the commission will work on revising Ordinance 2-2019 for supervisors review at their July 12 meeting. Public is invited.

The commission received correspondence from Bolt Engineering that they are moving forward with plans for poultry barns at Myer Farms on Thompson Avenue.

Respectfully submitted

Brian Keck, Secretary