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The North Annville Township Board of Supervisors met at the Water Works Fire Hall at 7:00 p.m. on July 26, 2021 for the purpose of a workshop meeting. All members were present. Also present was: see attached attendance sheet in minute book.

Randy Leisure, Chairman, called the public workshop meeting to order at 7:00 p.m. He stated that we will be working on the proposed Solar Farm Ordinance, which has already been through a couple of draft versions.

A resident of Blacks Bridge Rd. questioned the proposed setbacks, to which Paul Bametzreider, Township Solicitor, replied that the setback is 100' from any non-residential property line and 100' from any public right-of-way. Paul also stated that the 150' setback from any residentially zoned lot would apply to the right-of-way line if there is an alley involved.

Sue Forney questioned whether or not solar farms must be permitted in the Agricultural Zoning District, to which Paul replied that a zoning overlay in the Agricultural Zoning District is being discussed. Sue then questioned the buffer zone language, to which Paul replied that he is working on incorporating the buffer zone language as currently contained in the cell tower ordinance. Sue questioned whether or not the solar company could combine tracts of land, to which Paul replied that they could. Sue questioned Lebanon Solar's interest in the land, to which Paul replied that proof of interest in the land would be required at a conditional use hearing. Sue then questioned the 50% lot coverage requirement, to which Paul replied that the 50% would be entirely within the buffer zone.

Grady Summers stated that he would like to see 250' setback requirements from roadways which are designated as scenic roadways in the Annville-Cleona Regional Comprehensive Plan.

Brent Kaylor stated that the 100' right-of-way setbacks are too large, to which Paul replied that we have to balance interests between homeowners and landowners.

Mark Bachman suggested making the setback distances large enough to allow for farming operations to take place in the setback area and stated that there would still be sufficient land available to obtain the 50% lot coverage.

Sue Forney questioned whether or not farmers will be required to farm the buffer zone, to which Paul replied not necessarily.

Mark Bachman questioned the setback line location if a farm is located in both the Agricultural & R-1 Zoning Districts, to which Paul replied that the setback is currently defined by the lot line, not the zoning line. Paul went on to say that we could define the setbacks as being from both the lot lines and the zoning lines, to which Randy replied that adjustments will be made.

Randy questioned who will be responsible for maintaining the buffers, to which Paul replied that we could require either the solar farm operator or the property owner. Randy stated that he has seen solar farm ordinances which require maintenance bonds for the buffer zone.

Brent Kaylor questioned the need for the buffer to go the whole way around the perimeter of the property, at which point Larry Buffenmeyer stated the need to protect nearby properties. Aaron Miller suggested that the buffer zone language in the ordinance be written from a strict perspective and then a zoning variance can be requested at a later point in time. Paul stated that an ordinance cannot account for every possible circumstance, which is the reason that a large number of factors must be taken into account and then a variance can be requested at a later point in time. Grady Summers stated that Brent is taking this too far because Brent does not want

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buffers to be required along the roads and then went on to state that the protection of the community must be considered.

For the question of whether or not to leave lot coverage at 50% or amend it, Aaron Miller presented a map showing what 50% lot coverage would look like on a Township-wide basis and he also presented a map showing what 25% lot coverage would look like on a Township-wide basis. Randy stated that the issue he sees with making smaller lot coverage limits is that it will spread the project area out over a larger geographical area. Randy went on to state that there is a difference between solar coverage and impervious coverage, with the maximum impervious coverage being 30%. Grady Summers stated to clearly define the entire area of the solar project as lot coverage.

On the subject of liability insurance, Randy stated that the amounts can be adjusted accordingly. Aaron Miller questioned whether or not the insurance limits are high enough to protect the landowners, to which Paul replied that a liability could be greater than \$1 million. Clyde Meyer, Vice-Chairman, stated that he feels as though the existing insurance limits are not sufficient, at which point Randy suggested limits of \$2 million per incident and \$5 million per aggregate.

On the subject of bonding, Aaron Miller stated that everything needs to be removed so that the land can once again be farmed. Grady Summers suggested requiring that the land be returned to its original state. Eric Brummer questioned what will happen if the bond funding is insufficient, to which Paul replied that the shortfall would be covered by the engineer's insurance.

For the subject of noise, Grady Summers suggested changing the wording from "solar panel" to "solar implements." Another resident questioned whether or not rotating panels would fall under the noise restrictions, to which Paul replied that they would indeed.

Sue Forney suggested asking for specific things such as the requirement for a qualified operator, who will have keys to access the facility and emergency contact information. Grady Summers reiterated the need to have a method by which to contact the company. Sue also questioned whether or not the United States and Italy have a reciprocal agreement, since Italy could not own over 100 acres of land without one.

Gaye DeShong questioned whether or not there will be anyone on site and not two weeks away, to which Randy replied that the site would be monitored.

Paul suggested adjusting the annual report language to say "annual operating report of the facility." Julia Kaylor questioned why the Township wants to inspect the facility and asked if the Township inspects the Pennsy Supply operation. Randy stated that it would be good to do an annual inspection beyond what is shown in the annual report. Aaron Miller questioned what "teeth" can be used to enforce the findings of the inspection, to which Paul replied that we can require the property to be maintained in good order and repair.

Sue Forney questioned whether or not the Township will know what the solar panels are made out of, since the North Carolina Extension Office states that toxic chemicals can leach out of the panels.

Grady Summers questioned what the supervisors think of accessory use solar systems, to which Randy replied that it is being worked on by the Planning Commission. Paul stated that the system that Kurt Yordy proposed is a net-metering system and Randy stated that a typical

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“homeowner” system can produce up to 14KW. Randy went on to state that a driving force behind net-metering systems is that the state passed a law requiring Met-Ed to pay retail electricity rates to operators of net-metering systems.

Mark Bachman questioned whether or not there is language in the ordinance to require that a separate conditional use application be filed for each lot, to which Paul replied that we could add a provision at the end to state that the requirements of the ordinance apply to each individual lot and not the aggregate.

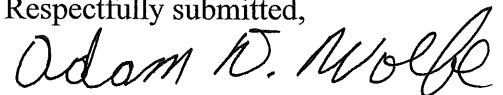
Gaye DeShong questioned the inclusion of language to protect cemeteries as well as access to the cemeteries, to which Paul replied that he still needs to research the issue.

Paul stated that he intends to have a revised draft version of the ordinance ready in time for the August Planning Commission meeting, at which point an updated draft version could be ready in time for the August supervisor’s meeting and then a final form could be sent to the Lebanon County Planning Department for the 30 day review period. The lockout period will begin when the ordinance has been advertised.

Gaye DeShong questioned if the Lebanon Solar I, LLC conditional use hearing has been rescheduled, to which Paul replied that we are still waiting for the petitioner to reschedule the hearing.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Adam D. Wolfe, Secretary