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FRANKLIN TOWNSHIP PLANNING COMMISSION MEETING MINUTES August 4, 2022 @ 7:00 P.M.

Call to order: Chair Dr. Hoffman called the Joint Planning Commission and Board of Supervisors Meeting on August 4, 2022, to order at 7:05 pm. In attendance were Chuck Phillips, Township Operations Manager Jeffrey Eastburn, Township Engineer Pete Eisenbrown, and Township Solicitor Guy Donatelli. Also in attendance was Jessica Adams from LTL Consultants. There was 1 member of the public.

Public Comment: No public comment

Approval of minutes:

April 7, 2022: Motion passed 3-0

May 5, 2022: Motion passed 3-0

May 17, 2022: Motion passed 3-0

June 2, 2022: Motion passed 3-0

Richardson Minor Final Subdivision Plan

This plan previously processed as a subdivision plan in 1994. The revised plans reflect a property line movement between two family members with no new lots, land development or construction.

- There are no zoning comments.
- The county planning commission has not sent a review letter to either the township or Mr. Crossan. Mr. Eastburn will contact the County PC for the status of their letter.
- The plan does not appear to accurately show the current impervious coverage. ChescoViews seems to show more stone coverage than shown on the plan. A question arose as to when the stone was added. Mr. Eastburn will check and forward the property address files for impervious cover permits to Mr. Crossan and Mr. Eisenbrown.
- The revised plan should include a note showing the waiver being requested. The PC is inclined to recommend the subdivision waivers and the waive the addition of sidewalks and lighting.
- A right of way easement would likely be required when there is a sale of either lots 2 or 3. The current ownership of the two properties by siblings obviates the need for any easements at this time.

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- Mr. Crossan intends to have the plan revisions completed before the Sept 7 PC meeting. The PC can conditionally approve the plan at the Sept 7 meeting pending a letter of agreement for the use and maintenance of the common driveway.

Solar Ordinance – Pete Eisenbrown

A large portion of the meeting was revolved around the definitions of solar arrays by size, location, residential or commercial use and zoning district. Mr. Donatelli made wording suggestions to facilitate the discussion based on his solar ordinance experiences in other townships.

We agreed on two classes of Solar Energy Systems.

They are:

1. Solar Energy System as an accessory use.

Accessory use would include homes, businesses such as wineries, garages, schools, Walmart, etc. where solar panels were a secondary use by right. These arrays could be either ground mounted or building mounted and are used internally to defray the cost of electricity for the residence or the business.

2. Solar Energy System as a primary use.

The solar array would primarily be used externally to supply (sell) electricity to the power grid.

Typically, these solar arrays would be ground mounted.

Accessory solar Energy System Discussions

a. Accessory Use Non-Conformities

Mr. Donatelli suggested a mechanism to facilitate the installation of a non-conforming accessory uses such as solar trees and other similar solar innovations. His suggestion would allow solar accessory use non-conformities to be brought before the Board of Supervisors with the recommendation of the Township Engineer /Code Enforcement officer for approval through resolutions. This process would document the why, what, and how behind a resolution.

“In the event that any condition in the Section cannot be met, the property owner may seek an exception from the specific condition at issue through an application to the Board of Supervisors and to the Township Engineer. In determining the application for exception, the Board of Supervisors shall consider any recommendation of the Township Engineer/Code Enforcement officer for conditions to the granting of the exception. The Board of Supervisors shall have sole discretion to issue such exception, which if granted, shall be done through resolution.”

Primary Solar Energy System Discussions

- a. Primary solar energy systems will go through the conditional use process.
- b. We considered the possibility of restricting Primary Solar Energy Systems to specific zones We agreed that such restrictions did not make sense in Franklin Township as most of the land for Primary Solar Energy Systems are in the Agricultural districts.
- c. The PC feels we should have a meeting with the Board of Supervisors to assure that the views of the PC and BOS are aligned in the Solar Ordinance.

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End of Life Decommissioning of Solar Energy Systems

We agreed that we had to refine the end-of-life wording in our ordinances especially for Primary Solar Energy Systems. Mr. Donatelli commented that decommissioning in the future is consistent with other similar ordinances. The ordinance could include inspection protocols. He commented that manufacturers normally define the useful life of a solar array. Mr. Eisenbrown and Mr. Donatelli will work to develop a useful life definition. Mr. Donatelli will review wording in other ordinances.

Other Topics

The PC members would use the minutes as a discussion document to refine and expand the solar ordinance before the next PC meeting.

We did not discuss Solar arrays as they relate to historical structures.

New Act 167 version 2

Mr. Eisenbrown gave an overview of Act 167. Our current stormwater ordinance is working well. Cumulative impervious cover calculations started in 2013. This ordinance does not reset impervious coverage to “0 sq”. Impervious coverage thresholds are:

- 0 – 1,000 sq ft – no stormwater requirements
- 1,000 – 2,000sq ft can use Simplified Approach
- >2,000 sq ft will require Full Engineered Approach

Once the 2,000 sq ft impervious coverage threshold has been surpassed, all the previous Simplified Approaches must be recalculated and possibly expanded or rebuilt to meet revised Act 167.

Ms. Adams is working to modify our ordinances to include the revisions to Act 167

O&M agreements will need to be revised. Inspection can be made by the township or landowner. The responsibility of inspections may best be handled by the township for many reasons. Annual inspections requirements will create an administrative and cost burden for both the township and the homeowner.

Public Comment: No public comment

Adjourn: Meeting was adjourned at 9:49pm.