

SOLEBURY TOWNSHIP PLANNING COMMISSION

September 10, 2018

Minutes

Attendance: Chris Caputo, Dan Fest, Keith Deussing, TJ Francisco, Dan Moser, William Jordan, Joanna Waldron (Township Solicitor), Robert McEwan (Supervisor Liaison), Jean Weiss (Planning Commission Administrator) and Josh Perlsweig (Farm Committee).

Absent: Peter Brussock

I. Call to Order

At 7:00 p.m., the Solebury Township Planning Commission meeting was called to order.

II. Approval of Minutes – June 11, 2018

Upon a Motion made by Dan Fest, seconded by Keith Deussing, the Solebury Township Planning Commission approved the June 11, 2018 meeting minutes.

III. Agricultural Uses – Proposed Amendment to the Zoning Ordinance

The proposed ordinance amendment regarding agricultural uses allows for passive solar greenhouses.

Joanna Waldron stated that the proposed ordinance is designed to allow agricultural use of temporary structures “passive solar greenhouses” also known as hoop house or high tunnel that are considered not impervious and are exempt from stormwater management.

Chris Caputo asked if there was a basis for the setbacks from any perennial stream or watercourse, public or neighboring property line.

Joanna Waldron stated that it was state mandated.

Josh Perlsweig stated that new house bill 1486 exemption of stormwater management relating to passive solar greenhouses, that the language was taken from that bill.

Chris Caputo stated that the solar greenhouses structures would create temporary impervious, wouldn't there be an issue with rainwater runoff.

Josh Perlsweig stated that they are structured so there is no rainwater retention like a permanent structure.

Josh Perlsweig stated that house bill 1486 allows for no more than 25% of the owner's total contiguous land area to be covered by a structure of any kind. That 25% or less is an exemption from stormwater management; more than 25% would not be exempt. The Farm Committee in their discussions has decided to cap the coverage at 25%.

Dan Fest asked if the Township can have a cap, wouldn't state law supersede.

Joanna Waldron stated that yes the Township can have a cap on coverage.

Dan Fest asked if there will be a permit and fee required.

Josh Perlsweig stated that the Farm Committee discussed a zoning permit with a \$25 fee.

Chris Caputo referencing the added section C.5 which states that a "passive solar greenhouse may be located in a front yard, when the Board of Supervisors approves the location as a conditional use". By definition the entire farm could be a front yard.

Keith Deussing asked why the exemption on stormwater management.

Josh Perlsweig stated the cost for building permits and stormwater management approvals is quite expensive.

Dan Fest referencing item IV.e.3. "passive solar greenhouse is supported with a buffer or diversion system". Is there an easier way to determine without engineer services to simplify.

Chris Caputo stated the way this reads calls for a storm water management plan.

TJ Francisco stated that it appears that it's an either or, if you can't meet one of the criteria you will have to do the stormwater management.

Keith Deussing stated that a hoop house with lighting may be an issue for neighboring properties.

Chris Caputo stated that it appears a hoop house could be right on the property line as long as the property owner complies with IV.e.3. It appears that the logical thing would be to comply with IV.e.1 or 2 and delete 3.

Keith Deussing asked if the state bill also has what may not be erected unless it meets one of the following criteria.

Joanna Waldron stated that the state bill does have some provisions of meeting criteria.

Keith Deussing stated the stormwater exemption does not appear to be an issue, but the other provisions seem to give an extensive allowance for hoop houses that would be counterproductive of the meaning of this ordinance.

Joanna Waldron stated the ordinance could be revised to exempt stormwater and the current zoning would regulate setbacks. Hoop houses like farm buildings will be exempt from building permits, but will also be exempt from stormwater.

Keith Deussing asked if hoop houses are not considered structures then why would we regulate setbacks.

Joanna Waldron stated that if you choose to treat hoop houses as a building there would be 100ft front yard, 100ft back yard and 75ft side yard setbacks or come up with new setbacks for hoop house use.

Chris Caputo stated he would like to see the building setbacks remain as a good neighbor aspect. Can we use existing accessory structure setbacks.

Joanna Waldron stated she would not recommend using accessory structure default setbacks, she would recommend adding in the definition a specific setback for hoop house structures.

Dan Fest stated he felt item V scenic road setback should be removed.

Chris Caputo asked if a review from the county had been received.

Joanna Waldron stated they are still waiting on the county review it has not been completed yet.

Chris Caputo asked if the discussion on the ordinance could be tabled until the next meeting to further explore language.

Joanna Waldron will work on additional language for the October meeting.

V. Adjournment

Upon a Motion by Keith Deussing, seconded by Dan Fest, the meeting was adjourned at 9:30 p.m.

Respectfully submitted,
Jean Weiss
Planning Commission Administrator, Solebury Township