

**SOLEBURY TOWNSHIP PLANNING COMMISSION**

April 27, 2026 – 7:00 PM

Solebury Township Hall/Virtual - Hybrid Meeting

MEETING MINUTES

**Attendance:** Lesley Wright Marino, Vice Chair; Gretchen Rice; Dan Fest; Gretchen Rice; John J. DeAndrea (via Zoom); Adrian Max; Lia Mandingo; Curtis J. Genner, Jr., P.E., Township Engineer; Mark L. Freed, Esq., Township Solicitor; Kevin Morrissey, Supervisor Liaison; Erin Gross, Thomas Comitta Associates, Inc.; Zachary Zubris, Director of Planning & Zoning; and John Ives, Planning & Zoning Administrator.

**Absent:** Peter Brussock, Chair, Amishi Joshi Castelli

**I. Call to Order**

The Solebury Township Planning Commission meeting was called to order at 7:00 pm.

**II. Approval of Minutes – March 23, 2025**

**Upon a motion made by Adrian Max, seconded by Dan Fest, the minutes of the March 23, 2026 meeting were unanimously approved.**

**III. Old Business**

**Fountainhead at Solebury Preliminary Land Development and Conditional Use Applications**

The Commission noted that no formal action would be taken regarding the Fountainhead application during the meeting and the application will be continued at a future meeting.

**Warehouse and Data Center Ordinance Amendments Update**

The Commission continued review of the proposed warehouse and data center ordinance amendments previously discussed at earlier meetings.

Discussion initially focused on ordinance provisions identifying certain conditional uses, including adult commercial establishments and detention facilities. Questions were raised regarding the meaning of those uses and whether specific operational, dimensional, or design standards applicable to such uses existed elsewhere within the Township ordinances.

Discussion then shifted to warehouses, distribution facilities, and data centers and toward the proposed maximum building size limitations for warehouses, distribution facilities, and data centers. Commissioners expressed concern that the proposed maximum sizes — including 200,000-square-foot warehouses and 250,000-square-foot distribution facilities and data centers — were significantly out of scale with the existing character and development pattern of Solebury Township.

Commission members questioned the basis for selecting the proposed size limitations and asked whether additional legal or planning research had been conducted regarding the smallest legally defensible maximum sizes that municipalities may impose without creating exclusionary zoning concerns.

Township legal counsel and planning representatives explained that municipalities are required to provide for lawful land uses within their zoning ordinances and that failure to do so can expose municipalities to substantive validity challenges. It was further explained that ordinances imposing overly restrictive standards that effectively prohibit lawful uses may similarly create legal vulnerability.

Township representatives stated that the proposed size limitations were based upon planning experience, review of model ordinances, and prevailing industry practices observed in comparable municipalities. It was noted that the proposed standards generally reflected what planners viewed as among the smallest practical maximum sizes commonly utilized in comparable ordinances governing modern warehouse and distribution facility uses.

Commission members discussed differences between traditional warehouses and modern distribution facilities, including distinctions involving truck traffic, operational intensity, and building size requirements. Township planners explained that traditional warehouses generally involve longer-term storage of goods, while distribution facilities are more heavily oriented toward rapid movement of goods in and out of facilities and therefore often require larger buildings and more intensive truck operations.

The commission expressed concern regarding the possibility of large-scale facilities being developed within the Township and discussed whether additional dimensional restrictions could be imposed while remaining legally defensible. Commission members also questioned whether additional data regarding average warehouse and distribution facility sizes could be gathered to assist the Township in evaluating appropriate dimensional limitations.

Discussion additionally addressed the extent to which existing Township ordinances already constrain potential warehouse and distribution facility development. Township representatives emphasized that such uses would only be permitted within the Light Industrial (LI) District and would remain subject to extensive environmental protection standards, stormwater requirements, buffering requirements, roadway limitations, natural resource protections, and traffic analysis requirements already contained within Township ordinances.

Discussion further addressed proposed community benefit agreement provisions applicable to warehouses and data centers. The commission expressed concern that the ordinance language did not clearly establish proportional standards ensuring meaningful mitigation contributions from applicants. Township representatives explained that the community benefit provisions were intended to supplement existing land development requirements and provide the Township with additional flexibility to negotiate project-specific mitigation measures during land development review.

Township planners noted the ordinance language was derived from multiple model data center ordinances reviewed during preparation of the amendments and represented what staff considered to be among the strongest available model provisions currently being utilized by municipalities. Commission members acknowledged that zoning ordinances are “living

documents” that frequently evolve over time as municipalities gain additional experience with emerging land uses and development trends.

***A motion was made by Dan Fest and seconded by Adrian Max to recommend approval of the Draft Warehouse and Data Center Ordinance Amendment(s), dated March 26, 2026, with a recommendation that the Board of Supervisors direct additional research on the minimum defensible structure sizes for warehouses, data centers, and distribution facilities.***

**The motion carried 5-0**

**IV. New Business**

**Lighting Ordinance Amendments**

The commission reviewed proposed lighting ordinance amendments that had previously undergone informal review during earlier meetings.

Township representatives explained that the ordinance amendments were being formally circulated pursuant to the Pennsylvania Municipalities Planning Code because portions of the amendments affect zoning, subdivision, and land development regulations.

Discussion focused primarily on proposed sign lighting shutoff times. The commission expressed concern that the proposed 10:00 PM shutoff time for illuminated signage may be too restrictive within commercial districts, particularly for restaurants, inns, and lodging establishments that operate later into the evening. Township representatives explained that the 10:00 PM standard may have originated from dark-sky ordinance models and prior discussions involving village district lighting standards. The commission members agreed that commercial districts may reasonably warrant later illumination hours than village or residential areas.

***A motion was made by Gretchen Rice and seconded by Lesley Wright Marino to recommend approval of the Draft Lighting Ordinance Amendment(s), dated October 9, 2026, with a recommendation that Section 27-2405.2.B.(4)(b) change the time from 10 p.m. to 11 p.m. for illuminated signs permitted in the Village Commercial Districts.***

**The motion carried 5-0**

**Sewage Facilities Planning Module - (2820 Creamery Road - Tax Map Parcel #41-013-095-002)**

The Commission reviewed a proposed sewage facilities planning module associated with 2820 Creamery Road property containing an existing six-bedroom dwelling served by an existing conventional septic system. The module proposed construction of a second six-bedroom dwelling to be served by a second conventional in-ground septic system.

Township representatives explained that, as part of the sewage planning module process, both the Planning Commission and the Zoning Officer are required to certify whether the proposed use complies with the Township zoning ordinance prior to submission to the Pennsylvania Department of Environmental Protection (DEP).

The applicant explained that the property contains approximately 34 acres and is actively utilized for agricultural purposes. Discussion also addressed a pending farm worker housing ordinance amendment currently under review by the Township, which may provide an approval framework if adopted.

Township representatives suggested that the applicant may wish to delay proceeding until the farm worker housing ordinance moves further through the adoption process. It was explained that DEP would likely decline to process the planning module if the Township is unable to certify zoning consistency under the current ordinance framework.

**Lake Solebury Committee – Planning Commission Representative Nomination**

The commission considered nomination of a Planning Commission representative to serve on the Lake Solebury Committee. A motion was made to nominate Amishi Joshi Castelli as the Planning Commission representative to the committee. The motion was seconded and unanimously approved. It was noted during discussion that Adrian Max intended to continue pursuing appointment to the committee in an at-large capacity.

**Comprehensive Plan Update**

The Commission received an update regarding ongoing preparation of the Township Comprehensive Plan. Commission members were advised that preparation of the draft plan is progressing quickly and that the Planning Commission is expected to review the draft plan prior to formal public circulation and comment. It was advised that any formal Planning Commission recommendation regarding the draft plan should occur during the properly advertised public comment period of 45 days following the Board of Supervisors' acceptance of the plan. It was anticipated that the draft plan could return to the Planning Commission for review during either the May or June meeting cycle.

**V. Adjournment**

**Upon a motion made and seconded and unanimously approved, the meeting was adjourned at 8:23 PM.**

Respectfully submitted, John Ives

Planning & Zoning Administrator, Solebury Township

