

SOLEBURY TOWNSHIP PLANNING COMMISSION

February 14, 2022

Minutes

Attendance: Dan Fest, Lesley Marino, TJ Francisco, Gretchen Rice, Keith Deussing, Peter Brussock, John DeAndrea (Associate Member), Curt Genner, (Township Engineer), Kevin Morrissey (Supervisor Liaison), Maureen Carlton, (Township Solicitor), Jean Weiss (Planning Commission Administrator)

Absent: Amishi Castelli

I. **Call to Order**

At 7:03 p.m., the Solebury Township Planning Commission meeting was called to order.

II. **Approval of Minutes – January 10, 2022**

The minutes were tabled until the February 14, 2022 meeting.

III. **Submission Acknowledgement – Minor Lot Line Change (DiNardo – 5995 Lower York Road TMP #41-008-036 & 41-008-036-001)**

The applicant is proposing to transfer 4.768 acres from TMP #41-008-036 to 41-008-036-00 to bring the property into compliance for lot area and clustering requirements for an accessory dwelling unit based on the Zoning Hearing Board application and decision to resolve administrative violation notices.

IV. **Submission Acknowledgement – Conditional Use (Solebury School - 6832 Phillips Mill Road TMP #41-018-079)**

The applicant proposes the construction of a 3-story 7,200 s.f. dormitory, 1-story 1,152 s.f. service building and associated walkways, drive areas, and parking lots

V. **Submission Acknowledgement – Preliminary/Final Land Development (Solebury School - 6832 Phillips Mill Road TMP #41-018-079)**

The applicant proposes the construction of a 3-story 7,200 s.f. dormitory, 1-story 1,152 s.f. service building and associated walkways, drive areas, and parking lots

VI. Alternative Energy Ordinance

TJ Francisco suggested going through the ordinance page by page and have committee members comment on areas of interest and/or concern.

Starting with purpose and objective section, TJ suggested adding the ready for 100 initiative which targets 100% clean energy by 2035.

There were no comments on any of the definitions section.

Applicability section (F) private energy and utility providers, TJ asked if that was a precursor to them operating in the Township.

Land use section (4), TJ referencing wind energy asked if there should be additional restrictions considering Solebury is a Bird Town.

Curt Genner commented that with wind mills, feasibility wise it does not appear to be an economical solution unless you were to have some large expansions of farmlands.

Gretchen Rice suggested restricting to agricultural use and industrial use.

Dan Fest asked if this ordinance is flexible enough for the future, as things seem to be changing.

Gretchen Rice referencing section (4) subsection A item #13 defective or abandoned wind energy systems, should there be a timeframe to have them either fixed or removed. After (6) months notification will be sent out, which will give (6) months for repair or removal.

Lesley Marino asked if a regular maintenance or upkeep requirement should be required.

Peter Brussock stated it is already a state requirement.

Maureen Carlton clarifying asked what should be the timeframe in the ordinance, one year after a (6) month notice.

TJ Francisco asked if there is some form of notification to residents within a certain radius informing them of the application.

Curt Genner stated windmill systems would require conditional use approval.

TJ Francisco referencing section (4) subsection B solar energy systems, commented that the Township should not give up forest land in support of the solar energy systems.

Peter Brussock referencing section (4) subsection B (2) “solar panels will not be allowed in an historic district unless approved by a certificate of appropriateness”, expressed concern with HARB having the ability to deny an application for solar because it is not historic in nature. It would be more appropriate to consult HARB, but take away the requirement of a certificate of appropriateness. Review by the HARB board, but decision made by the Board of Supervisors.

Lesley Marino referencing section (4) subsection B (6), feels this should be removed from the ordinance.

Lesley Marino expressed concern with section (4) subsection B (8), ground mounted solar shall not be permitted in the front yard.

Curt Genner suggested allowing ground mounted solar in the front yard by conditional use.

Keith Deussing expressed concern with future solar farms throughout the Township.

TJ Francisco referencing section (4) subsection C “geothermal energy systems” suggested steering clear of open loop systems.

Curt Genner commented the Township has just revised their well permitting ordinance, and the ordinance still prohibits open loop systems.

Peter Brussock suggested the Township revisit their decision in prohibiting open loop systems.

TJ Francisco referencing borehole and geothermal supply & return well setbacks table, commented the setback from wetlands, floodplains, lakes, ponds, or other surface waters should be more than 25 feet to be consistent with the other Township ordinance.

Peter Brussock commented that ordinance is for potable water supply wells.

Curt Genner concurred that the table is not consistent with the current well ordinance.

Gretchen Rice referencing section (4) subsection D (2) “wood-fired Boilers”, expressed concern that this sentence did not make any sense.

Lesley Marino recommended removing section (4) subsection D (2) all together.

Maureen Carlton suggested replacing it with “in no case shall a wood-fired boiler be permitted closer than 150 feet to any property line”.

TJ Francisco referencing section (4) subsection F (1) “emerging energy systems” expressed concern with this section being permitted by special exception. The Planning Commission members agreed it should be permitted by conditional use.

Gretchen Rice suggested also changing wood-fired boilers to a conditional use approval as well.

TJ Francisco referencing section (5) “Encouraging Passive Energy Conservation” suggested considering adding into design standards.

Curt Genner commented that most of the items listed are already in the Subdivision/ Land Development Ordinance (SALDO).

Keith Deussing referencing section (5) subsection C (1) asked for clarification. The Planning Commission members agreed to strike from the ordinance.

VII. Adjournment

Upon a Motion by TJ Francisco, seconded by Gretchen Rice, the meeting was adjourned at 9:10 p.m.

Respectfully submitted,
Jean Weiss
Planning Commission Administrator, Solebury Township