**READING TOWNSHIP PLANNING COMMISSION**

**BOARD OF SUPERVISORS AND PLANNING COMMMISSION**

**SPECIAL JOINT MEETING**

**TO DISCUSS ZONING REGULATION OF SOLAR USE**

**August 15, 2024**

The special joint meeting of the Reading Township Board of Supervisors and Planning Commission was held at the Reading Township Community Center at the Hampton Fire Company Memorial Hall .

The special meeting was jointly called to order by Chairman Bowen and Board of Supervisors Chairman Thomason at 6:30 pm. Planning Commissioners also in attendance were Donald Godfrey and Gerald Shank with Chairman Bowen presiding. Also in attendance were: Andrew Merkel, Adams County Planning & Development; Andrew Miller, Zoning Officer; and Susan J. Smith, Solicitor.

The purpose of the special joint meeting was to continue discussion on proposed amendments to the Zoning Ordinance relating to a principal solar energy facility use. The 2023 draft ordinance had been made available to the public prior to the meeting.

Throughout the meeting there was extensive discussion of concerns with and zoning regulation of a solar use among the attending Planning Commissioners, Supervisors and public. County planner Merkel, Zoning Officer Miller and Solicitor Smith offered comment and advice and answered questions.

The following members of the public offered comment: Kevin Holtzinger, Joann Bitler, Gary Myers and Kim Dillon.

The Planning Commission reviewed the draft for the purpose of recommending standards otherwise left blank in the draft ordinance.

Commissioner Shank motioned for recommendation that the principal solar energy facility use be permitted in the Industrial zoning district as a special exception. Commissioner Godfrey seconded the motion. The motion passed unanimously.

Commissioner Shank motioned for recommendation that no minimum acreage be required. Commissioner Godfrey seconded the motion. The motion passed unanimously.

Discussion followed including comment by Supervisor Phillips (contiguous minimum acreage requirement) and Andrew Merkel (whether a minimum lot size requirement applied before or after exclusions of land for the use)

Solicitor Smith stated that the opening statement to Supplemental Standards, Section 2 (exclusions) would re redrafted along the following lines: “The solar energy facility developed area shall exclude:”.

Commissioner Godfrey motioned for recommendation that subparagraph (f) agricultural soils exclusion be set at 0% [stricken from the draft]. Commissioner Shank seconded the motion. The motion passed unanimously.

Commissioner Godfrey motioned for recommendation that a woodlands exclusion be stricken from the draft. Commissioner Shank seconded the motion. The motion passed unanimously.

Commissioner Shank motioned for recommendation to add the following exclusion: “area within a riparian buffer required by federal or state law.” Commissioner Godfrey seconded the motion. The motion passed unanimously

Commissioner Shank motioned for recommendation of a maximum panel height of 12.’ Discussion followed concerning types of panels and screening. Commissioner Godfrey seconded the motion. The motion passed unanimously.

Commissioner Shank opened extended discussion on setbacks. Discussion concerned screening, buffers and Industrial zoning district uses. Commissioner Shank motioned for recommendation for a 200’ setback. Commissioner Godfrey seconded the motion. The motion passed unanimously.

Commissioner Shank motioned for recommendation for an identification sign not to exceed 864 square inches. Commissioner Godfrey seconded the motion. The motion passed unanimously.

There was extended discussion on buffer depth, related to setbacks, public road frontage and Industrial district uses. Commissioner Shank motioned for recommendation for a 30’ depth of buffer. Commissioner Godfrey seconded the motion. The motion passed unanimously.

Commissioner Shank motioned for recommendation that 10% of the lot area be planted for pollinators (Section 11, subsection b. [iii]). Commissioner Godfrey seconded the motion. The motion passed unanimously. Solicitor Smith noted that this subsection should be made a separate requirement (not part of the buffer provisions) and that be revised to exclude woodlands.

Commissioner Shank motioned for recommendation to set performance security $100,000/megawatt (Subsection 17). Commissioner Godfrey seconded the motion. The motion passed unanimously.

Commissioner Shank motioned for recommendation to amend subsection 16 to read “Cessation and/or abandonment shall be presumed if no power is generated for a period of 6 months.” Commissioner Godfrey seconded the motion. The motion passed unanimously.

Solicitor Smith commented that the draft should be amended to include requirement for a 30-day advance notice of an ownership change, and noted that identification signs would also be changed. Commissioner Shank motioned to include a requirement for 30-day advance notice of an ownership change. Commissioner Godfrey seconded the motion. The motion passed unanimously

Commissioner Shank motioned for recommendation to amend subsection to except from removal electric and associated communication lines buried more than 42 inches. Commissioner Godfrey seconded the motion. The motion passed unanimously.

There was extended discussion on maintenance inspection requirements (Subsection 14.b) and straight wind/wind shear and hail events. It was understood that the National Weather Service would be the source of information to the facility owner/operator of a triggering event. Commissioner Shank motioned for recommendation to include straight wind/wind shear and hail as events triggering inspection. Commissioner Godfrey seconded the motion. The motion passed unanimously.

Solicitor Smith noted prior discussion for the addition of noise and groundwater testing requirements and standards to the draft and offered proposed amendments. Potable well testing requirements were included in the 2023 circulated draft (Paragraph 19).

Commissioner Shank motioned for recommendation to include the following noise requirements:

 [As an application requirement] A noise and vibration assessment study, including noise mitigation measures, prepared and sealed by a professional acoustical engineer, demonstrating compliance with the noise standards of this Ordinance

 [As a use standard] Noise generated from the activities at the use shall not exceed 60 dBA measured at the lot line, but in no event shall exceed the ambient noise level, measured at the lot line and made a part of the application, by more than 10 dBA.

Commissioner Godfrey seconded the motion. The motion passed unanimously.

Solicitor Smith informed the Planning Commission, Board of Supervisors and public that a draft of the ordinance incorporating the 2023 draft, as amended at the joint meeting, would be presented to the Board of Supervisors at its next regular meeting for referral to public hearing. Solicitor Smith noted that the Board of Supervisors had the authority to further amend the draft before referring it to public hearing and that, following the public hearing and comment from the Planning Commission, County, and public, the Board of Supervisors had the authority to further amend the draft before its adoption. She further noted that, if post-public hearing amendments were substantial, as determined by applicable law, that the required procedures for the adoption of an ordinance (referral to Planning Commission for recommendation, to the County for comment and to public hearing) would need to be repeated before adoption of the ordinance.

A motion to adjourn the special meeting was made by Chairman Bowen and seconded by Commissioner Shank; the motion carried unanimously.

The special joint meeting adjourned at 9:05 pm.