

**PLANNING COMMISSION MEETING MINUTES**  
**March 16, 2023**

**Members:** Chairman Steve Groff, Vice Chairman Garrett Weaver, Jim Nagle, Andy Toms, Matt Warfel and Scott Riekers.

**Staff:** DeeDee McGuire, Township Manager; Chuck Haley, ELA Township Engineer; Michele Neckermann, Planning/Zoning Officer; Kim Yepremian, Planning/Zoning Officer & Recording Secretary.

**Call to Order:** Chairman Groff called the meeting to order at 7:00 pm with the Pledge of Allegiance.

**Minutes Approval:** Garrett Weaver made a motion, seconded by Andy Toms, to approve the February 16, 2023 minutes as submitted. Motion passed 6-0 with one abstention from Matt Warfel.

**Public Comment:** none

**Lot Add-On Plan for Kevin Weaver – 1714 Newport Drive:** Withdrawn

**Stormwater Management Plan for Dustin Martin Landscaping – 1906 Bridge Road:** Applicant Dustin Martin and Molly Hughes P.E. of Red Barn Consulting, Inc., appeared to present a Stormwater Management Plan for a farm-related landscaping business and a Waiver from Land Development.

- 68-acre farm in agricultural zoning district.
- Applicant received a Special Exception for a farm-related landscaping business with a storage building and outdoor storage area.
- Applicant received a Variance to allow for up to 20 non-family employees on site at one time.
- The employees - many picked up and driven to work - will arrive in the mornings, load up equipment and leave.
- Applicant is requesting a Waiver from Land Development since the employees are not working on site and there will be no retail or customer hours.
- There will be one ADA accessible parking spot.
- Neither the Roadmaster or Police Chief have any issues with the plan.
- The Pequea Creek runs through the property from north to south.
- An infiltration terrace system located downslope of the parking & storage area will collect the runoff and discharge to the runoff to a proposed Riparian Buffer.
- This Plan proposes adding a 35-foot Riparian Buffer Easement to the conservation easement that exists along the Pequea Creek at the back of the property. **Post-meeting note: ELA states Riparian Buffer is 50-feet.**
- ELA's Chuck Haley commented there is no issue with a Stormwater Plan – a review letter was written, and revised plans were recently received but not yet reviewed.
- Chuck also stated that no new drives are proposed - access is existing.
- A Commissioner asked if the driveway area in the right-of-way was paved or gravel? The drive is gravel and Chuck stated that the area in the street right-of-way would have to be paved.
- A Commissioner asked the applicant how/where the vehicles and equipment were fueled? Dustin Martin answered that they fuel up at gas stations, and there are no plans for onsite fuel storage.
- Chuck Haley, ELA, explains to the Commission the reasons that a Stormwater Management Plan with a waiver from land development is appropriate for this business – the building is for storage of equipment and not employees to work in and the business is not open to the public – and it is consistent with planning for some of the other farm-related businesses in the Township.
- Dustin Martin explained that he is building a new building because bringing the existing Ag barn up to Commercial Building Code was too costly, and this is why he is building new for the landscaping business. The new building, at 5,000-sf, will not require a sprinkler system, according to Code Administrators.

**Motion:** Garrett Weaver made a motion to recommend the Board of Supervisors grant approval of the waiver from land development and approve the stormwater management plan conditioned on applicant addressing all the items in Township Engineers' letter dated March 8, 2023 of the Stormwater Management Plan for Dustin Martin Landscape Business prepared by Red Barn drawing numbers 101-104, 201-205, and 301-303; dated February 28, 2023. Scott Riekers seconded the motion, and the motion was approved 6-0.

**Sketch Plan – Eshelman Mill Road (Gerald Garber) Solar Farm:** The property owners, Gerald & Jewel Garber, with New Leaf Energy consultants Tim Mills, Drew Funk, Shawn Brandt, Keller Engineers Britton Barnsworth and Jared Keller, and sheep farmer Daniel Dotterer, gave a presentation on *Agrovoltaics* – a community solar project which involves sheep grazing paired with solar fields. Garrett Weaver recused himself from discussion due to professional and personal conflicts.

- Sketch Plan proposed a dual use: sheep grazing and solar farm. New Leaf Energy has contracted with Daniel Dotterer to provide sheep for grazing on the solar farm.
- 55-acre property; the central 30-acres are farmable/pasture, surrounded on three side by 25-acres of woodland.
- The land is currently rented out for crop farming.
- Daniel Dotterer – American Solar Grazing Association; soil and vegetation baseline sampling of 24 solar farms.
- Federal law dictates a 7-ft security fence around a solar farm.
- Farmer will visit the site twice a week while the sheep are placed; maintenance personnel for the solar panels visit the site every several months.
- There will be 160 ewes on site; sheep are bred every 8 months (average 3 lambs per ewe); over the 25-year solar project, there will be about 19,200 lambs birthed.
- Seed mix – local company sources; native varieties specific to sheep grazing and soil health.
- Building Code applies to solar farm.
- When the contract is done and solar panels removed, the land will once again be farmland.
- “Community Solar” – vs. net metered or utility scale; local subscribers can subscribe to the service just like one would for TV service; PPL territory would give subscribers a 10 to 20% discount.
- Limited in size and volage to 5 megawatts AC; 30 acres required.
- Can only connect to distribution lines, not transmission lines; can only sell to residential & commercial customers and not to utility-scale companies.
- Should be able to reach about 1,000 households.
- Single-axis tracker moving from east sky to west sky through-out the day.
- The distribution station is approximately a mile away from the field. They can connect to PPL distribution line in PPL easement in-ground or drop a couple of poles.
- Commissioner asked if the panels will reflect onto Eshelman Mill Road at the end of daylight when they are facing west.
  - Glint-glare study will be conducted – for drivers and neighbors
  - There will be a vegetative screening buffer between the panels and the road
  - The panels absorb the light more than reflect
- The access road will/has been moved to the south, due to safety concerns in response to comments from the Township and Township Engineer.
- Commissioner asked if the contract for sheep grazing ran with the contract for the solar use – to be sure the dual use continue. **The applicant answered that the “intent” and the “goal” was to keep both uses going.**
- The sheep will be **on site 9 months** of the year; Daniel will be onsite periodically to do tree trimming and landscape maintenance.
- The height of the panels will reach approx. 9-ft in height, and the bottom panel will be approx. 2-ft above ground level when at full-tilt.
- Neighbor out-reach has not yet occurred – they first want feedback from the Township.
- There will be **no buildings** on site for the inverters or step-up transformer.
- There will be a **decommissioning bond**, and everything will be removed at the end of the contract: this includes all equipment, surfaces that were put down, fencing, concrete pads, access road.
- Subscribers will be reached through marketing efforts such as mailers and ads. This won’t occur until the they are just about ready to be commissioned by the utility.
- They have zero projects in PA because they are waiting on Community Solar Legislation; they are the largest Community Solar developer in the country and have hundreds of projects.
- New Leaf Energy was formed when it split off Borrego Energy last July 2022.
- The decommissioning bond for project this size would be approximately \$250,000; vast majority of materials on site are recyclable; no concrete around the steel posts and panels are unscrewed; remove everything.
- Life expectancy of a panel is 35 to 40 years; they are warrantied for 25 years.
- In response to a comment by the Fire Chief, they stated that the panels were not flammable, although the inverters are. The inverters have fire auto-detect shut off switches, in addition to manual shut-offs. Applicants would plan to meet with EMS personnel on site for initial site walk-through.

**Tommy's Car Wash & Mavis Discount Tire at Willow Valley Crossroads – Planning Module:** The Planning Commission has been asked to review the Component 4A for Tommy's & Mavis extending sewer and tap-ins.

**Motion:** Andy Toms motioned for the Chairman to sign the Planning Module Component 4A. Matt Warfel seconded the motion. Motion approved 5-0. Jim Nagle abstained for professional conflict.

**Community Development Updates:**

- The Committee for the WLT Zoning Ordinance update and comprehensive rezoning met during a public meeting held on March 1, 2023. The Committee evaluated combining the MSL with the MS zoning district and eliminating of the OTR zoning district. They will also evaluate eliminating the overlay districts, in order to simplify the regulations. The residential and agricultural zoning districts were evaluated for the permitted uses and level of approvals required. The next public meeting is scheduled for April 5, 2023, when the Committee will look at Definitions and Specific Requirements of uses.
- Conditional Use Hearing for Grouse Pointe was approved by the Board of Supervisors with 24 conditions.
- 1891 Windy Hill Road Lot Add-On Plan was also approved by the Board.
- In April, we anticipate the Parkside at Lampeter Preliminary Plan will be before the Board of Supervisors for approval.
- Township staff and engineers have pre-planning meetings scheduled with Anil Jivani regarding the Sunoco Convenience Store / Dunkin Donuts plans for 2504, 2506 and 2508 Willow Street Pike, and with Kenneth Homes, the new owner of 14.5 acres of Residential Village land located at 1820-1822 Lampeter Road.
- The Township received notification of a grant awarded for the Willow Street Park.
- The Gypsy Hill / Long Rifle Road re-alignment will be starting at the end of the month.

**Adjournment:** Jim Nagle made a motion, seconded by Scott Riekers, to adjourn the meeting. Motion approved 6-0. Meeting adjourned at 8:10 pm.