

TILDEN TOWNSHIP PLANNING COMMISSION

The Tilden Township Planning Commission met in the Township Municipal Building on Tuesday, November 15, 2022 with the following present: Chairperson Dale Keener, Christopher Forte, Sharon Enevoldson, E. Gregory Kozlowski, Joshua Breslin, Township Engineer Joe Zucofski, Acting, Secretary Frederick Herman, Township Assistant Secretary Samantha Hartman and members of the public. A copy of the roster is on file with the township.

Chairperson Dale Keener called the meeting to order at 7:30 P.M. followed by the pledge of allegiance.

There was no public participation.

APPROVAL OF MINUTES

A Motion was made by Mr. Kozlowski and seconded by Mr. Forte to approve the meeting minutes of October 18, 2022. Upon roll call all voted to approve the October meeting minutes.

PLAN

Kelly Automotive Group Vice President Chris Saraceno, Engineer Casey Bond, and Attorney Erich Schock were present to discuss the Kelly Hyundai Service Building Expansion plan. The required variance was granted by the Zoning Hearing Board and Carbon Engineering comments have been addressed. A motion was made by Mr. Keener and seconded by Mr. Kozlowski to recommend to the Board of Supervisors conditional approval of the plan incorporating the Zoning Hearing Board decision, entering into a construction improvements agreement with escrow, and incorporating the Carbon Engineering comments letter. Mr. Zocofski will prepare a construction estimate to determine the financial security amount. Upon roll call all voted to approve the motion.

OTHER BUSINESS

170 POSSUM ROAD VARIANCE – The information submitted or the Zoning Hearing Board was reviewed. Nothing was submitted to support it other than the fact the lot was approved in a subdivision done by Paul and Betty Levan. The ordinance calls for a lot of 1.6 acres. The lot in question is only 0.99 acres. There are adjacent lots about the same size with houses. The lot may have complied with the zoning ordinance at the time, but regulations may have changed since the subdivision. There was discussion of why the lot size may have been increased. There may have been problems with perc tests there and there is a lot to fit into a lot that size. Mr. Keener recalled past discussions about having larger lots to maintain the rural character of the township and having adequate room to replace a failed septic system. It was the consensus of the group that the burden should be on the individuals who submitted the variance request to make their case for approval to the Zoning Hearing Board. A motion was made by Mr. Kozlowski and seconded by Ms. Enevoldson to provide no comment to the Zoning Hearing Board. Upon roll call all voted to approve the motion.

SOLAR ENERGY SYSTEMS AND FACILITIES ORDINANCE REVIEW – At the August 2022 meeting it was determined there is an urgent need to address solar farms in the township. Mr. Zucofski prepared a sample for review based on Upper Tulpehocken Township's ordinance, which was prepared by Ms. London, Tilden Township Solicitor, and two other ordinances. An Accessory Solar Energy System (ASES) is one used to reduce reliance on purchasing energy for a residence or small business. A Primary or Principal Solar Energy System (PSES) is a commercial system, a "solar farm", with the purpose of collecting solar energy to sell to others for use off site. A number of issues were discussed. Mr. Zucofski will look into battery storage concerns, particularly in use in large scale solar farms. It was noted that there are utility guidelines requiring switches to prevent backflow in the event of a power loss or

transmitting excess power to the grid. The size of lots where PSESs would be allowed needs to be determined and depends on how restrictive we want to be. The sample ordinance currently suggests 25 acres. A member of the public present indicated he'd been approached about placing a solar farm on his property and the developer wanted a minimum of 40 acres. It was noted that the USDA prohibits PSESs on prime soils and that needs to be explored. Decommissioning and restoration of the land is a consideration. Cleaning practices and stormwater management were questioned. The suggested maximum square footage of solar panels in use by an ASES is 1000 sq ft. There is a need to figure out how much is needed to power a home. It was decided to recommend allowing ASESs in all districts, with setback, height, and light trespass restrictions. If a waiver is requested clarification is needed concerning in who's opinion an undue hardship is created. There was discussion concerning whether a special exception should be required for PSESs and whether to limit which districts where they may be located. It was decided to recommend limiting them to the R1, R2, C1, C2, L1, and L2 districts. There was discussion concerning placement of a ground ASES within the front yard if outside the setback and the maximum height that should be allowed. It was also suggested that the Emergency Management Coordinator review PSES plans and any ASES plans where a variance has been granted to allow panels more than 1000 square feet in area. Mr. Zucofski will make the modifications discussed and forward to Ms. London for comment.

ADJOURNMENT

A Motion was made by Mr. Kozlowski and seconded by Mr. Keener to adjourn the meeting at 9:30 P.M. Upon roll call all voted to approve the motion.

Attest:

Frederick Herman
Acting Secretary