

**PENN TOWNSHIP
PLANNING COMMISSION MINUTES
228 CLIFFORD ROAD, SELINSGROVE
June 28, 2021**

Members present included: Derek Straub, Robert Grayston, Alternate Dan Kuruna, Brian Wentzel, Jon Payne, Marvin Weaver and Ken Herman Jr.

Members Excused: None

Also Present: Solicitor Jim Bathgate, Manager Julie Hartley, Gene Kreamer, Russell Pierson, Enos Yoder, Dale Gemberling, Dave Daku, Cory Peterson, Lisa Weikel, Randy Weikel, William Schneider, Michael Reed, Daniel Bow, Andrew Miller, D. Robert Davidson and Philip Adam, Jr.

The meeting was called to order by Chairman Brian Wentzel at 6:55 pm.

On motion by Jon Payne and seconded by Derek Straub, and carried on an 6-0 vote, the minutes of the May 24, 2021 Planning Commission meeting were approved as presented.

Persons to be Heard:

Russell Pierson of Trinity Solar representing the Timothy Horlacher and Karen Gaugler roof-mounted solar systems conditional use hearings explained that both systems are only allowed to produce 110% of the estimated electrical needs of the homeowners. Both will be flush mounted on the roofs and will not protrude past the roof lines. Both systems will have an automatic disconnect in case of power failures and a manual disconnect. All of the criteria for roof mounted accessory solar systems will be followed.

After discussion the following motion was made:

On motion by Robert Grayston and seconded by Jon Payne, and carried on a 6-0 vote, it is recommended that the Board of Supervisors approve the Conditional Uses for Timothy Horlacher and Karen Gaugler with the following requirements:

- 1) Subject to all local, state and federal laws**

Gene Kreamer presented the Holtzapple/Morris Subdivision noting that after this subdivision, two lots can still be subdivided and that it is noted on the plans. A note was added to the plans stating that lot 5 and 6 will share and maintain the driveway. The lot line that previously used the road as a dividing line now has all the buildings grouped so that it does not create any set-back issues.

After discussion the following motion was made:

On motion by Robert Grayston and seconded by Ken Herman Jr., and carried on a 6-0 vote, it is recommended that the Board of Supervisors approve the Holtzapple/Morris Subdivision with the following requirements:

- 1) Approval from the Snyder County Planning Commission**

Cory Peterson from LIVIC CIVIL presented the RMW Rentals, LLC Conditional Use to the group. The Conditional Use Hearing is scheduled for August 4, 2021 and is in the Industrial Zone. They are proposing a five-bay garage and plan to use the old state police barracks as office space. Jim Bathgate noted that following an approved Conditional Use a Land Development Plan will need to be submitted. Industrial zone lots require not more than sixty percent impervious coverage. Universal Road is a township road. There will be approximately twenty busses and six vans in the morning and the afternoon utilizing Universal Road. The Conditional Use was filed under 402.2, uses not provided for where similar uses are permitted. The Industrial zone has a similar use under Truck Terminal. The applicant must show that there will not be undue congestion. The lot has a current stormwater basin which will be used. The proposed maintenance garage will have an inspection license. The burning of waste oil for heat will be part of the Land Development plan. Only during the summer months will all the busses and vans be parked on the premises. The lot is 3.16 acres.

After discussion the following motion was made:

On motion by Robert Grayston and seconded by Derek Straub, and carried on a 6-0 vote, it is recommended that the Board of Supervisors approve the Conditional Use with the following requirements:

- 1) Subject to all local, state and federal laws**
- 2) More information on traffic counts utilizing Universal Road**

Andrew Miller, MPA Law Firm, presented the Principal Solar Energy System proposed on the David and James Daku and SonSmith, LLC properties. Cottontail Solar 6, LLC a subsidiary of Lightsource BP, will be overseeing the installation the system. Principal Solar Energy Systems (PSES) require a Conditional Use Hearing. After a favorable

Conditional Use finding, a Land Development Plan would need to be filed. All eight parcels of this proposed system are in the Agricultural Conservation Zone. The parcel sizes range from five to ninety-five acres. There will be two access points that will need highway occupancy permits and one privately owned road. The Land Development Plan will address stormwater and DEP guidelines will be used. The slope would be 10% grade or less. The land will be planted in a meadow-type grass and presently is slated to be mowed instead of grazed by livestock. An eight-foot fence with livestock type mesh and treated posts are planned. No parking will be needed for the project. There will be no buildings or sheds. Some invertors will be placed. There is an allowance for emergency vehicles to access the property. The facility is allowed to produce a maximum of 20 megawatts. Proposed screening is marked on the plans in front of the fencing. The narrative was reviewed that was distributed to the members. All set-backs required in an AC zone will be followed. Any neighboring property owner, if they object to the project, must have evidence and show proof of negative impact. All parcels, including easements, must be supplied to be listed the legal advertisement for the hearing.

After discussion the following motion was made:

On motion by Robert Grayston and seconded by Derek Straub, and carried on a 4-0 vote, with Jon Payne and Brian Wentzel abstaining.

- 1) Comply with all regulations in the Township's Ordinances**
- 2) Obtain Landowners' consents**
- 3) Provide study of panel leaching**

On motion by Jon Payne and seconded by Marvin Weaver, and carried on a 6-0 vote, to table the discussion on Rick Romig's Conditional Use Hearing for a ground mounted solar energy system until the July 26, 2021 Planning Commission meeting.

New Business:

None

Old Business:

None

FYI-

- Bright Farms – Final LD, filed 6.17.20, due 9.10.21
- RBBB Holdings/Ron Brubaker – Final LD, filed 8.25.20, due 10.5.21
- VFW Subdivision, filed 1.5.21, due 8.4.2021
- Lester Sensenig Land Development, filed 3.22.21, due 8.17.21
- Marvin Weaver Conditional Use, filed 5.13.21, due 10.8.21, hearing 6.23.21 (Continuance)
- Marvin Weaver – Final LD, filed 6.11.21, due 12.8.21
- Holtzapple/Morris Subdivision, filed 5.18.21, due 8.16.21
- Chris Shaffer Conditional Use, filed 5.19.21, due 7.16.21, hearing 6.23.21
- Timothy Horlacher, Trinity Solar Conditional Use, filed 5.21.21, due 7.20.21, hearing 7.14.21
- RMW Rentals, LLC Conditional Use, filed 6.17.21, due 8.16.21, hearing 8.4.21
- Karen Gaugler/Trinity Solar Conditional Use, filed 6.17.21, due 8.16.21, hearing 8.4.21
- Rick Romig Conditional Use, filed 6.21.21, due 8.20.21, hearing 8.4.21
- Daku, Cottontail Solar 6, LLC, filed 6.24.21, due 8.23.21, hearing 8.18.21

Adjournment – On motion by Robert Grayston and seconded by Derek Straub, and carried on a 6-0 vote, the Planning Commission meeting was adjourned at 8:47 p.m.

Respectfully submitted,
Julie Hartley, Township Manager