

APPROVED

Franklin Township Planning Commission & Board of Supervisors Special Meeting December 2, 2021 7:00 p.m.

Call to Order Chair Hoffman called the meeting to order at 7:05pm. In attendance Chairman Dave Hoffman called the meeting to order at Time 7:04 p.m. In attendance were Planning Commission (PC) members Chairman Dave Hoffman, Chuck Phillips, Matt Goin, Secretary John Gontarz. Board of Supervisors Chair Gerstenhaber, Vice Chair Dea, supervisors Morris and Auerbach. Also, in attendance were, Interim Township Manager Jeff Eastburn and Township Secretary Sarah Patton, Jessica Adams from LTL Consultants. There were also two members of the public present.

I. Public Comment – no comment

II. Approval of Minutes

- a. November 4, 2021, PC Meeting Minutes v3 – approved once two changes made;
typo Indians should be Indiana and Mark Harris in attendance. John Gontarz
made motion to approve, Chuck Phillips seconded. All in favor, yes.

III. **Joint PC and Board Meeting on December 2, 2021**

- IV. Green Ordinance was discussed in length. Discussion topics included whether the Green Ordinance is a zoning or subdivision/land development issue. We determine it is subdivision/land development issue.
- There was agreement that the solar ordinance should be clear and simple for residential installations. There was a discussion about allowing flexibility in solar panel design and placement to accommodate new solar panel technology and specific landowner needs.
- There was agreement to add a new category that would allow new designs and placements to be brought forward as a conditional building permit that would be presented and approved by the board of supervisors at a scheduled BOS meeting. This category could be called “Non-Conforming Solar Installations” or “New Approaches to Solar Installations” or some other suitable name.
- The effects of large solar “farms” in Franklin Township. A long discussion centered around the end-of-life removal and disposal of large solar “farms”. Once Solar panels are removed or damaged, they are now considered hazardous wastes due to heavy metal content under federal RCRA regulations. The use of an escrow was discussed to pay for removal and disposal of solar wastes. A mechanism for setting collecting, and managing an escrow was discussed with no final decision.

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Final: One action item; Determine in a timely fashion if we can get someone to talk to us about commercial and residential installation of solar panels. Once we have a discussion, we would finalize the Solar Ordinance.

We agreed to delete the two final ordinances:

- a. Outdoor wood fire broiler: Not sure it should be under this ordinance. Not sure why this is in the ordinance, there has never been a problem with them. All members in agreement to strike it from the green ordinance.
 - b. Geo-thermal system: Chair Gerstenhaber suggest striking it from the ordinance as it makes it more complicated. There are already regulations and technology in place and the system has been used for years.
 - i. Members of Planning Commission and Board of Supervisors agree to strike them both from the ordinance.
- 1. Act 167 – Jessica Adams – LTL Presentation
 - a. Update: First, look at the links in the packet to see how the Chester County storm water ordinance came about.
 - b. Second, Chester County released their ACT 167 model ordinance just last week. All will get a copy of it, Sent by Jessica Adams. Public comment is open now until January 7, 2022. schedule of adopting this ordinance, after public comment period is over.
 - c. Key components: County has allowed municipalities to keep their own simpler ordinances. Can only choose one storm water drainage system, would eliminate variety of storm water drainage systems.
 - d. Supervisor Auerbach suggests to both boards that they keep the simplified approach for storm water drainage
 - V. Process and timing to select temporary BOS supervisor – decision must be made by December 18, 2021. Decision must be made in public.
 - VI. Public Comment – Jeff Eastburn requests Dave Hoffman to come to the office.
 - VII. Adjourn 8:47pm