

**SPECIAL SUPERVISORS MEETING MINUTES
JULY 7TH 2021 TOWNSHIP BUILDING 7:00PM.**

Attendance: Chairman Kevin Frank, Mike Champion, Phil Courter, Secretary Treasurer Carol Colucci, Zoning Officer Rich Brungard and Solicitor Houser. Planning Board members Mark Saville, Mary Ann Clark, Ralph Funk and 3 members of the public

This meeting was advertised as a special work session to review and discuss a proposed Solar Ordinance. The meeting was called to order by Chairman Frank at 7:00PM. following the Pledge of Allegiance. Township Solicitor Houser took over the meeting.

Houser stated he is using a model ordinance for a draft from the Tri-county Regional Planning Commission and adapted it to the Porter Township Chapter #27 of the Code of ordinance.

Roof or wall mounted solar panels does not require a permit. In past meetings it was discussed that solar panels would only be permitted in the conservation and commercial zoned areas.

Houser read through the ordinance summarizing topics listing just a few points of details. He stated it must be treated like principals there are many regulations for all the technical issues.

The township can request of how much energy is being generated. The principals' section is where you are controlling your off-site energy use. It talks about glare resistance, solar easements, noise, access to, fire safety, fence protection and what happens to the land if the use discontinues abandonment, bonds and escrows. Somethings would not need to be decided at the time of finitizing the ordinance but at the time of an application.

Supervisor Courter said he thought it was focused more on the larger scale of panels not for residential homes. He would be fine with allowing solar in the commercial district and is opposed to allowing solar in agricultural zoned areas. Supervisor Champion talked about the financial side of assurance of escrows and why it would be so important verses why it should not be bonds. They both expressed zoning was created for a reason to prevent things from taking place.

Planning Board Chairman Saville stated he does not agree with putting solar panels in the conservation district. Reference to Article#3 says in the Zoning Ordinance the conservation district is to be preserved in the township and allowing trees to be cut down for solar panels is not preserving the land.

Planning Board member Mary Ann Clark explained why she thinks it should be essential services. Houser said the difference is the use of the power being generated, the same process but different extension. She suggested if the intent is to preserve agricultural land preservation, then do not put interest rates on escrow.

Planning Board Vice-chairman Ralph Funk stated he believes as a farmer the land should be evaluated every five years to review its financial value. And even an escrow account could change over the period of a lease for panels.

There was a discussion on agricultural land preservation. There were many different opinions. Farming is not as profitable as it was before. Farmers need another income in these economic stages and developments. Supervisor Courter stated he will allow solar in agricultural land only with restrictions to keep it controlled.

Houser stated you need to distinguish the difference of someone using the power for personal use and providing essential services to their residents' verses someone who is commercially engaged and generating electric selling to the open market.

It was agreed to limit the amount of use in agricultural land of 25% but then it also must be limited to be fair in commercial zoned the same.

Solicitor Houser will draft something with the percentage of land that would meet the regulations of solar being allowable. He will put verbiage for agriculture to be the same percentage for commercial of 25%. Houser suggested Center County has a large amount of solar and we may be able to get sample information on escrows. And it would be helpful to find out what the real land return is.

On a 1st motion by Courter and a 2nd by Frank motion passed to adjourn 8:15PM

Porter Township Chairman
Kevin Frank



Porter Township Secretary
Carol Colucci



Date: August 9, 2021