

Richmond Township Planning Commission

February 28, 2022 Monthly Meeting

7:00 p.m.

Kenneth Schlegel called the monthly meeting of the Richmond Township Planning Commission to order at 7:00 P.M. In attendance were Nicholas Stoltzfus, Mathew Dempsey, Ben Kemmerer, Scott Anderson; Kraft Engineering, Michelle Mayfield, Esq.; Hartman, Valeriano, Magovern & Lutz, PC. and Jennifer Galomb, Commission Secretary.

I. APPROVAL OF THE MINUTES

A motion was made by Nick Stoltzfus to approve the minutes from the January 31, 2022 Planning Commission Meeting, Ben Kemmerer seconded the motion. Motion carried unanimously.

II. PUBLIC PARTICIPATION- AGENDA COMMENTS.

NONE

III. OLD BUSINESS

A. Review Lyons Solar Farm Text Amendment to Zoning Ordinance.

Michelle Hartman; Esquire handed the Planning Commission an ordinance to review amending article V entitled "supplementary regulations", section 522, entitled "solar farms", section 522.1 entitled "general regulations", letter F., to modify the height regulations provided for therein. In the ordinance the wording is now changed to read "In the event that an overhead power line crosses an existing utility line, the crossing overhead power line and connecting equipment may be up to a maximum height of seventy-five (75) feet at the area of such crossing, but must be tapered back to a maximum height of fifty (50) feet before and after the crossing. In the event that the overhead power line connects to the local electrical grid at a height greater than fifty (50) feet, the connecting overhead power line and connecting equipment may exceed fifty (50) feet, up to seventy-five (75) feet, at the point of interconnection with the local electrical grid an within the area necessary to taper up to the height of the local electrical grid connection, for the purpose of making the connection with the local electrical grid. Any buildings or substation on the property shall be treated as accessory structures subject to the forty (40) feet limitation applicable in the L-1 district. Pursuant to Section 501.4 lightning protection attached to the top of any pole shall be excepted from height regulations.

Andrew Miller of MPL Law Firm, who is counsel for Heelstone, discussed how the lines will only be at the maximum seventy-five (75) feet when they are crossing the overhead power lines and then slowly tapering back down to fifty (50) feet when not crossing. Mr. Miller brought drawings for the Planning Commission to view to show exactly where the poles that will be reaching a maximum of seventy-five (75) feet. He stated the substation equipment, he would

like to have clarification in the ordinance that the substation equipment would be considered accessory structures and buildings in the light industrial district. There is a fifteen (15) foot height limit in the ordinance for solar energy collectors, storage cells or connecting equipment in a solar array subject to setback requirements and a maximum height of fifteen (15) feet. He also stated that the first tower coming out of the substation will have to have a lightning rod on the top for lightning protection, that will be approximately will be approximately seventy-five (75) feet. He would like clarification that the lightning rod would not be considered an accessory structure. It was questioned as to what material the lightning rod was as if it is technically a structure it would not be allowed. Mr. Miller said he will check with Heelstone and get back to the planning commission to report on that. As well as the FAA requirements with the height of the seventy-five (75) feet poles.

It was recommended that Mr. Miller get clarification on the few items that they discussed, otherwise the board could approve the ordinance as written at their March 14, 2022 meeting. Mat Dempsey made a motion to accept the ordinance as written and Ben Kemmerer seconded the motion. Motion carried unanimously.

IV. NEW BUSINESS

A. East Penn Smelter Building Waiver Request.

Rickie Greenly from East Penn and Jim from Barry Isett & Associates discussed the refinery addition that they are asking for a building waiver request on. The addition and associated equipment of approximately 4,110 square feet at the battery recycling center facility on the Lyons site. The work would increase their ability to recycle batteries in this facility. The work is proposed to occur on existing impervious surface and will not impact egress of the existing facility. Scott Anderson from Kraft Engineering recommended an escrow of \$500.00 be held with the Township for costs incurred during the waiver request process, along with a plan demonstrating the proposed improvements shall be provided to the Township for their records. There will not be any impact on storm water as the flow will remain the same before and after construction. A motion was made by Nick Stoltzfus to grant the land development waiver, motion was seconded by Mat Dempsey. Motion carried unanimously.

V. MISCELLANEOUS BUSINESS

NONE

VI. PUBLIC PARTICIPATION- BUSINESS FROM THE FLOOR

NONE

VII. ADJOURNMENT

There being no further business, a motion was made by Nicholas Stoltzfus to adjourn at 7:47 p.m. The motion was seconded by Ben Kemmerer. Motion carried unanimously.

Respectfully submitted,

Jennifer Galomb
Secretary, Richmond Township
Planning Commission

Kenneth Schlegel, Chairman
Richmond Township
Planning Commission