SANDY TOWNSHIP
PLANNING COMMISSION MEETING
March 19, 2023
3:00 P.M.

AGENDA

1. MEETING CALLED TO ORDER

2. APPROVAL OF MINUTES OF PREVIOUS REGULAR MEETING OF FEBRUARY 20, 2024

3. PUBLIC COMMENTS (Regarding agenda items only)

4. CORRESPONDENCE

RECEIVED:

A. None

SENT:

None

5. REPORTS OF ZONING OFFICER AND COMMITTEES

A. ZONING OFFICER REPORTS AND COMMENTS/PENNSAFE REPORTS

Action Needed: Motion to receive and file report item A.

6. TABLED BUSINESS

A. Solar Ordinance

Comments Only

7. UNFINISHED BUSINESS

NONE

8. SKETCH PLANS

NONE

9. NEW BUSINESS

NONE

10. PUBLIC COMMENTS

11. ADJOURNMENT

SANDY TOWNSHIP
PLANNING COMMISSION MEETING
February 20, 2024

MEMBERS
ROBERT BURIAK (Absent)
DAN CORBET
ROBERT FLECK
JOHN HORTEN
RAY DONATI (Absent)

ZONING OFFICER
PAT GREEN

MEETING CALLED TO ORDER

The meeting was called to order at 3:00 p.m. by Chairman Dan Corbet.

APPROVAL OF MINUTES OF PREVIOUS REGULAR MEETING OF JANUARY 16, 2024

Motion by John Horten, seconded by Bob Fleck to approve and submit the minutes of the regular meeting of January 16, 2024. Motion carried by 3-0 vote:

Robert Fleck – aye
John Horten – aye
Dan Corbet – aye

PUBLIC COMMENTS (Regarding Agenda Items)

No public comments

CORRESPONDENCE:

RECEIVED:

A. Bradley J. Myers, PLS
B. GeoTech Engineering, INC.
C. John Koptchak, PLS

SENT:

None

Motion by Bob Fleck, seconded by Ray Donati to receive and file received correspondence items A through C. Motion carried by 3-0 vote:

Robert Fleck – aye
Dan Corbet – aye
John Horten – aye

REPORTS OF ZONING OFFICER AND COMMITTEES

A. SANDY TOWNSHIP ZONING OFFICER/PENNSAFE

Motion by Bob Fleck, seconded by John Horten to receive and file report item A. Motion carried by a 3-0 vote:

Robert Fleck – aye
Dan Corbet – aye
John Horten – aye

TABLED BUSINESS

A. LSSE CIVIL ENGINEERS AND SURVEYORS: Kohlhepp Corporation, Major Subdivision Development Plan, Kiwanis Trail Estates.

Motion by Bob Fleck, seconded by John Horten to remove the major subdivision development plan, Kiwanis Trail Estates from Tabled Business due to the Board of Supervisors taking action on the submission. Motion carried by 3-0 vote:

Robert Fleck – aye
Dan Corbet – aye
John Horten – aye

UNFINISHED BUSINESS

NONE

SKETCH PLANS

NONE

NEW BUSINESS

A. BRAD MYERS, PLS: Clepper Holding LLC, Land development Plan, Behringer Highway

Pat Green presented the land development plan submitted by Brad Myers, PLS on behalf of Clepper Holding LLC for the property located at 1011 Behringer Highway. They are proposing to construct six storage unit buildings within a vacant lot along SR 322 (Behringer Highway). This lot has no water or sewer.

Pat stated the plan was taken to the Zoning Hearing Board for the variances he was wanting. One of which was for the zoning requirement for screen plantings. He is going to do a chain link fence with vinyl slots in the links. He also will be adding a gate.

Approval was received from the engineer.

Motion by Bob Fleck, seconded by John Horten to approve the land development plan submitted by Brad Myers, PLS on behalf of Clepper Holdings, LLC and forward to the Supervisors for their action. Motion approved by 3-0 vote:

Robert Fleck – aye
John Horten – aye
Dan Corbet – aye

B. GEOTECH ENGINEERING, INC: Laughner & Patel Developers, Land Development Plan, Developac Road

Pat Green presented this land development plan for the property located on Developac Road. They are proposing to construct an office space complex for the commonwealth Charter Academy, DuBois Facility. The building will be 19,749 square feet and will have 204 parking spaces. The facility will be served by city water and sewer.

Engineer Mike Haynes reviewed the plans and recommended approval contingent on the following: Provide the final approval for sewage planning and submission of the design details for the pump station and force main connection; coordinate with the Municipal Authority to finalize the water vault design as indicated on the plan; forward a copy of the NPDES approval when received, and; complete Sandy Township's Stormwater Management Plan Maintenance Agreement.

Bob Fleck asked about the cul-de-sac. Shawn Arbaugh stated that is currently the responsibility of the Fountains.

Motion by Bob Fleck, seconded by John Horten to approve the land development plan submitted by Geotech Engineering, Inc, on behalf of Laughner & Patel Developers for the Commonwealth Charter Academy, DuBois Facility, contingent on receipt of NPDS permit, maintenance agreement for sewer and the DEP waiver, and forward to the Supervisors for their action. Motion carried by 3-0 vote:

Robert Fleck – aye
John Horten – aye
Dan Corbet – aye

C. JOHN KOPTCHAK, PLS: Daniel Wallace, Lot Consolidation, Forest Ave

Pat Green presented the lot consolidation plan for the property located at 110 Forest Ave. They are proposing to consolidate Lot A, Lot B and Lot 102 into one newly combined lot, measuring 0.241 acres.

Mr. Wallace is looking to build and addition in the future and is trying to consolidate as many lots as possible to be able to have the space. Pat stated he has explained to Mr. Wallace that it will be very difficult to accomplish what he is wanting to do.

Dan Corbet asked what the zoning is for this property. It is R-1, High Density.

Motion by Bob Fleck, seconded by John Horten to approve the lot consolidation submitted by John Koptchak, PLS on behalf of Dan Wallce for the property located on Forest Ave and forward to the Supervisors for their action. Motion carried by 3-0 vote:

Robert Fleck – aye
John Horten – aye
Dan Corbet – aye

D. Solar Ordinance

Motion by Bob Fleck, seconded by John Horten to table the discussion regarding the Solar Ordinance until all members are present and have the chance to review the draft ordinance. Motion carried by 3-0 vote:

Robert Fleck – aye
John Horten – aye
Dan Corbet – aye

PUBLIC COMMENTS AND QUESTIONS

NONE

ADJOURNMENT

Motion by John Horten, seconded by Bob Buriak to adjourn the meeting at 3:35. Motion carried by 3-0:

Robert Fleck – aye
Dan Corbet – aye
John Horten – aye

Respectfully submitted,

_____
Bob Buriak

Sandy Township
PENNSAFE PERMIT and FEE REPORT
For the Month of February 2024

Project Name	Permit #	Amount		Check #	Cash	20% Admin Fee
Linda Fleeger	PS STB 5-24 R (nh)	$ 359.32		14454		$ 70.96
Gary Llewellyn	PS STB 7-24 R	$ 296.50			X	$ 58.40
FedEx	PS STB 8-24 C	$ 335.00		30584		$ 66.10
Francis Villella	PS STB 9-24 R (nh)	$ 488.34		3335		$ 96.77
Domtar Paper	PS STB 10-24 C	$ 254.50		173263		$ 50.00
Rick Mabie	PS STB 11-24 R	$ 164.50		1000		$ 32.00
Laura Wilson	PS STB 13-24 R	$ 92.50			X	$ 17.60
Quality Builders	PS STB 14-24 R (nh)	$ 726.90		5143		$ 144.48
Claron Rosman	PS STB 16-24 R	$ 142.50		4933		$ 27.60
						$ -
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	Total Amount Collected	**$ 2,860.06**		**Total Admin Fee**		**$ 563.91**
minus $4.50 State Fee X _9_ Total Permits		$ 40.50				
	Total Permit Revenue	**$ 2,819.56**				

Thank you!

SANDY TOWNSHIP

P.O. BOX 267 • DUBOIS, PA 15801 • PHONE (814) 371-4220 • FAX (814) 375-7837 • E-MAIL info@sandytownship.net

TO: SANDY TOWNSHIP SUPERVISORS

FROM: PATRICK GREEN, Sandy Township, Planning | Zoning Officer

SUBJECT: FEBRUARY 2024 ZONING REPORT

	AMOUNT ISSUED	COLLECTED
Zoning Permits	3	$305
Sub-Divisions / Consolidations	1	$150
Zoning Hearing Requests	0	$0
Road Occupancy Permits	0	$0
Zoning Books/Maps	0	$0
Sandy Township Sewer Taps	0	$0
Transient Permits	0	$0
Sign Permits	0	$0
Burning/Fireworks Permits	0	$0
Commercial Development Plan	2	$600
Outdoor Amusement Permits	0	$0
	TOTAL	$1055

TOTAL CONSTRUCTION COST – $129,000
TOTAL NEW HOMES – 0

SANDY TOWNSHIP
Zoning Permits February 2024

NAME	PERMIT#	LOCATION	PURPOSE	CONSTR. COST	FEE	CONTRACTOR
Barieri Land Management	2691	911 South Brady St	Change of Use / Auto Shop	$20,000	$150	HRIN Masonary
Anderson Signs	22024	15 Industrial Drive	Homewood Suites New Signs	NA	$80	Anderson Signs
Zeph Thull	2693	4153 West Liberty Rd	Swimming Pool	$109,000	$75	Gary Thull Pools Inc
			Totals	**$129,000**	**$305**	

The Model Ordinance is laid out with several options or suggested text language. In many cases there are options provided for the community to choose which language may suit their overall needs. This text is marked in grey shading or with sections marked with "OR".

Further clarification on the model ordinance may be made by contacting the Tri-County Regional Planning Commission.

AN ORDINANCE AMENDING CHAPTER ___ (RELATING TO ZONING), PART 2 (DEFINITIONS) AND PART ___ (GENERAL REGULATIONS) OF THE TOWNSHIP OF _____ CODE OF ORDINANCES, AMENDING DEFINITIONS, AND AMENDING AND ESTABLISHING REQUIREMENTS FOR THE INSTALLATION, OPERATION AND DECOMMISSIONING OF SOLAR ENERGY SYSTEMS AS ACCESSORY USES AND PRINCIPAL USES

Section 1 - Introduction

WHEREAS, the Pennsylvania Municipalities Planning Code, act of July 31, 1968, as amended, 53 P.S. §§ 10101 *et seq.*, enables a municipality through its zoning ordinance to regulate the use of property and the conservation of energy through access to and use of renewable energy resources; and

WHEREAS, the Municipality, as defined below seeks to promote the general health, safety and welfare of the community by adopting and implementing this Ordinance providing for access to and use of solar energy systems; and

WHEREAS, the purpose of this Ordinance is to set requirements for solar energy systems, and;

WHEREAS, Chapter __, ZONING is to be amended with the addition of language to meet the mentioned goals;

IT IS HEREBY ENACTED AND ORDAINED by the governing body of the _____ Municipality is as follows:

Section 2 – Definitions

A, The following Definitions are added to DEFINITIONS of the Zoning code with the following:

ACCESSORY BUILDING: A building which (1) is subordinate to and serves a principal building; (2) is subordinate in area, extent or purpose to the principal building; (3) contributes to the comfort, convenience, or necessity of occupants of the principal building; and (4) is located on the same lot as the principal building.

ACCESSORY SOLAR ENERGY SYSTEM (ASES): An area of land or other area used for a solar collection system principally used to capture solar energy, convert it to electrical energy or thermal power and supply electrical or thermal power: (a) primarily; or (b) solely for on-site use. An accessory solar energy system consists of one (1) or more free-standing ground, or roof mounted, solar arrays or modules, or solar related equipment and is intended to primarily reduce on-site consumption of utility power or fuels.

OR

ACCESSORY SOLAR ENERGY SYSTEM (ASES) (often referred to as "residential solar")
An area of land or other area used for a solar collection system principally used to capture solar energy, convert it to electrical energy or thermal power and supply electrical or thermal power primarily for on-site use. An accessory solar energy system consists of one or more freestanding ground- or roof-mounted solar arrays or modules, or solar-related equipment, and is intended to primarily reduce on-site consumption of utility power or fuels.

APPLICANT: The individual or entity seeking approval for a solar energy system pursuant to this Ordinance. The owner of the real property upon which the solar energy system shall be erected, as well as the Applicant, shall be responsible for compliance with this Ordinance.

ENVIRONMENTALLY STABLE: The proper placing, grading, construction, reinforcing, lining, and covering of soil, rock or earth to ensure their resistance to erosion, sliding or other movement.

MUNICIPALITY:_____Borough/City/Township, ___County, Pennsylvania.

PRINCIPAL BUILDING: A building or structure in which is conducted the principal use of the lot on which the building or structure is located.

PRINCIPAL SOLAR ENERGY SYSTEM (PSES): An area of land or other area used for a solar collection system principally used to capture solar energy, convert it to electrical energy or thermal power and supply electrical or thermal power primarily for off-site use. Principal solar energy systems consist of one (1) or more free-standing ground, or roof mounted, solar collector devices, solar related equipment and other accessory structures and buildings including light reflectors, concentrators, and heat exchangers; substations; electrical infrastructure; transmission lines and other appurtenant structures.

SOLAR EASEMENT: A solar easement means a right, expressed as an easement, restriction, covenant, or condition contained in any deed, contract, or other written instrument executed by or on behalf of any landowner for the purpose of assuring adequate access to direct sunlight for solar energy systems.

SOLAR GRAZING: The practice of grazing livestock on solar farms. Sheep are the most common solar grazing animals, as they are the best-suited species. For the safety of low-mount solar arrays, goats, cows, pigs, and horses are not recommended.

SOLAR ENERGY: Radiant energy (direct, diffuse and/or reflective) received from the sun.

SOLAR ENERGY SYSTEM: A solar photovoltaic cell, module, or array, or solar hot air or water collector device, which relies upon solar radiation as an energy source for collection, inversion, storage, and distribution of solar energy for electricity generation or transfer of stored heat.

1. SOLAR ARRAY: A grouping of multiple solar modules with the purpose of harvesting solar energy.

2. SOLAR CELL: The smallest basic solar electric device which generates electricity when exposed to light.

3. SOLAR MODULE: A grouping of solar cells with the purpose of harvesting solar energy.

SOLAR RELATED EQUIPMENT: Items including a solar photovoltaic cell, module, or array, or solar hot air or water collector device panels, lines, pumps, batteries, mounting brackets, framing and possibly foundations or other structures used or intended to be used for collection of solar energy.

B. Modifications to Zoning Code DEFINITIONS:

The following terms shall replace and supersede any prior definitions contained within Part 2, Definition of Terms, (27-201) Chapter 27 Zoning:

1. Accessory Building:

ACCESSORY BUILDING: A building which (1) is subordinate to and serves a principal building; (2) is subordinate in area, extent or purpose to the principal building; (3) contributes to the comfort, convenience, or necessity of occupants of the principal building; and (4) is located on the same lot as the principal building.

2. Solar Skyscape Easement is hereby deleted and replaced with the following term:

Section 3 - Accessory Solar Energy Systems (ASES)

A. Regulations Applicable to All Accessory Solar Energy Systems:

1. Exemptions

a. ASES with an aggregate collection and/or focusing area of_____square feet or less are exempt from this ordinance.

b. ASES constructed prior to the effective date of this Section shall not be required to meet the terms and conditions of this Ordinance. Any physical modification to an existing ASES, whether or not existing prior to the effective date of this Section that materially alters the ASES, shall require approval under this Ordinance. Routine maintenance or like-kind replacements do not require a permit.

2. Accessory solar energy systems are a permitted use in all zoning districts.

3. The ASES layout, design and installation shall conform to applicable industry standards, such as those of the American National Standards Institute (ANSI), Underwriters Laboratories (UL), the American Society for Testing and Materials (ASTM), Institute of Electrical and Electronics Engineers (IEEE), Solar Rating and Certification Corporation (SRCC), Electrical Testing Laboratory (ETL), Florida Solar Energy Center (FSEC) or other similar certifying organizations, and shall comply with the Municipality's Building Code, and with all applicable fire and life safety requirements. The manufacturer specifications for the key components of the system shall be submitted as part of the application.

4. All on-site utility, transmission lines, and plumbing shall be placed underground to the greatest extent possible.

5. The ASES shall be designed to use all energy created solely on site. ? NOT SURE. PROBABLY WOULD FORCE BATTERY STORAGE. POWER COULD BE WASTED.

6. Signage shall comply with the prevailing sign regulations.

7. All solar energy systems should be designed and located to ensure solar access without reliance on and/or interference from adjacent properties.

8. All ASES shall be situated to eliminate concentrated glare onto nearby structures or roadways. O.K. NOT SURE GLARE IS AN ISSUE. HAVEN'T SEEN A PROBLEM WITH IT. THEY ARE TRYING TO ABSORB ENERGY NOT REFLECT IT.

B. Roof Mounted and Wall Mounted Accessory Solar Energy Systems:

1. A roof mounted or wall mounted ASES may be located on a principal or accessory building.

2. ASES mounted on roofs or walls of any building shall be subject to the maximum height regulations specified for principal and accessory buildings within each of the applicable zoning districts,

OR

The total height of a building with an ASES shall not exceed by more than_____foot/feet the maximum building height specified for principal or accessory buildings within the applicable zoning district.

3. Wall mounted ASES shall comply with the setbacks for principal buildings in the applicable zoning districts

OR

wall mounted ASES shall comply with the setbacks foraccessory buildings in the applicable zoning districts.

4. Solar panels shall not extend beyond any portion of the roof edge.

5. The owner shall provide evidence certified by an appropriately licensed professional that the roof is capable of holding the load of the ASES.

C. Ground Mounted Accessory Solar Energy Systems:

1. Setbacks.

a. The minimum setbacks from side and rear property lines shall be equivalent to the accessory building setbacks in the applicable zoning district,

OR

the minimum setbacksfrom side and rear property lines shall be equivalent to the principal building setbacks in the applicable zoning district.

b. A ground mounted ASES shall not be located in the required front setback.

c. Ground mounted ASES are prohibited in front yards unless unique physical circumstances or conditions exist that preclude it from being located in a side or rear yard. Such physical conditions may include, but are not limited to, restricted solar access in other yards, other resource constraints, unusual situation of the principal use on the parcel, etc.

2. Freestanding ground mounted ASES shall not exceed the maximum accessory structure height in the applicable zoning district

OR,

Freestanding ground mounted ASES shall not exceed ____feet in height above the ground elevation surrounding the systems. *ED NOTE: (Most example ordinances limit to 25 feet)*

3. Coverage.

a. The area beneath the ground mounted ASES is considered pervious cover. However, use of impervious construction materials under the system could cause the area to be considered impervious and subject to the overall lot coverage requirement for the applicable zoning district,

OR,

The following components of a ground mounted ASES shall be considered impervious coverage and calculated as part of the lot coverage requirements for the applicable zoning district:

i. Foundation systems, typically consisting of driven piles or monopoles or helical screws with or without small concrete collars; and

ii. All mechanical equipment of the system including any structure for batteries or storage cells.

4. Ground mounted ASES shall not be placed within any legal easement or right-of-way location, or be placed within any storm water conveyance system, or in any other manner that would alter or impede storm water runoff from collecting in a construed storm water conveyance system.

5. If a ground mounted ASES is removed, any earth disturbance as a result of the removal of the ground mounted solar energy system shall be graded and re-seeded.

Section 4 - Principal Solar Energy Systems (PSES)

A. Regulations Applicable to All Principal Solar Energy Systems:

1. PSES constructed prior to the effective date of this Section shall not be required to meet the terms and conditions of this Ordinance. Any physical modification to any existing PSES, whether or not existing prior to the effective date of this Section that expands the PSES shall require approval under this Ordinance. Routine maintenance or replacements do not require a permit.

2. Principal solar energy systems (PESES) are a conditional use in _____ Zoning Districts.

3. Principal solar energy systems (PSES) are a permitted use in _____ Zoning Districts.

4. In Agricultural Zoning Districts, no more than ____ percent of the entire area for development shall consist of Class I and Class II prime agricultural soils as defined by the then current version of the NRCS Custom Soil Resource Report. ED NOTE: Examples indicate no more than 20 percent area.

5. The PSES layout, design and installation shall conform to applicable industry standards, such as those of the American National Standards (ANSI), Underwriters Laboratories (UL), the American Society for Testing and Materials (ASTM), Institute of Electrical and Electronics Engineers (IEEE), Solar Rating and Certification Corporation (SRCC), Electrical Testing Laboratory(ETL),Florida Solar Energy Center (FSEC) or other similar certifying organizations, and shall comply with Municipality's Building Code, and with all other applicable fire and life safety requirements. The manufacturer specifications for the key components of the system shall be submitted as part of the application.

6. All on-site utility transmission lines and plumbing shall be placedunderground to the greatest extent feasible.

7. The owner of a PSES shall provide the Municipality written confirmation that the public

utility company to which the PSES will be connected has been informed of the customer's intent to install a grid connected system and approved of such connection. The owner shall provide a copy of the final inspection report or other final approval from the utility company to the Municipality prior to the issuance of a certificate of use and occupancy for the PSES.

OR

The owner of a PSES shall provide the Municipality with a written acknowledgement from a public utility company or the Regional Transmission Operator (RTO) to which the PSES will be connected that they have been informed of the customer's intent to install grid connected PSES to their facilities

8. If a PSES is being used as an accessory use for commercial/industrial activity on another property, then the municipality shall be informed of the intent of the PSES.

9. Signage shall comply with the prevailing sign regulations.

OR

No portion of the PSES shall contain or be used to display advertising. The manufacturer's name and equipment information or indication of ownership shall be allowed on any equipment of the PSES provided they comply with the prevailing sign regulations.

10. All PSES shall be situated to eliminate concentrated glare onto nearby structures or roadways. LAW REQUIRES GLARE STUDIES NEAR AIRPORTS. I BELIEVE ITS A 5 MILE RADIUS. NOT SURE IT IS AN ISSUE. TRYING TO

OR ABSORB ENERGY NOT REFLECT IT. I HAVE NEVER SEEN A GLARE PROBLEM ON THE SITES THAT WE HAVE WORKED ON.

1. All PSES shall be placed such that concentrated solar radiation or glare does not project onto nearby structures, roadways or beyond the boundaries of the land upon which it is located.

2. The applicant has the burden of proving that any glare produced does not have significant adverse impact on neighboring or adjacent uses. The Municipality will require anti-glare coating and the Municipality may, in its sole and absolute determination, require applicant to provide the Municipality with a glare report/study. The said report/study may be required at the time of application or any time thereafter. The said report/study shall be subject to review and approval by the Municipality. The cost of the review and approval shall be paid by applicant or owner. THE REQUIREMENT FOR GLARE STUDIES HAVE BASICALLY WENT AWAY. IT APPEARS TO BE A NON-ISSUE.

OR

1. All PSES shall be placed such that concentrated solar radiation or glare does not project

onto nearby structures or roadways,

2. The applicant has the burden of providing that any glare produced does not have significant adverse impact on neighboring or adjacent areas.

11. All solar energy systems should be designed and located to ensure solar access without reliance on and/or interference from adjacent properties. THAT'S A NO BRAINER. EVERYONE DESIGNS SHADING BUFFER AREAS.

12. A noise study will be performed and submitted with the application. The noise study will be performed by an independent noise study expert and paid for by the applicant. Noise from a PSES shall not exceed 50 dBA, except during construction, as measured at the property line of non-participating landowners. The study shall be subject to review and approval of the Municipality, the costs of the same to be paid by applicant. OTHER THAN DURING CONSTRUCTION THERE IS NO NOISE. YOU MAY ADDRESS NOISE BUT I WOULD NOT REQUIRE A STUDY.

13. No trees or other landscaping otherwise required by the municipal ordinances or attached as a condition of approval of any plan, application, or permit may be removed for the installation or operation of a PSES, subject to approval of the Municipality. MAY WANT TO REQUIRE PLANTINGS AS A BUFFER NEAR CERTAIN AREAS.

14. For Emergency purposes, the PSES owner and/or operator shall maintain a phone number and address of a person responsible for the public to contact with inquiries and complaints throughout the life of the project and provide this number, address and name to the Municipality, the same to be updated when changed. The PSES owner and/or operator shall make reasonable efforts to respond to the public's inquiries and complaints no later than 3 days after the complaint was filed.

15. PSES owners shall properly maintain all panels, structures and equipment and shall repair or replace any damaged or visibly degraded components. Components shall be replaced in kind, or with equivalent parts or materials, consistent with the original design and manufacturer's specifications and shall be completed within sixty (60) days of the mailing of a notice by the Municipality of the need to make repairs or replacement. Said notice to be mailed by First Class Mail to the said responsible person provided for herein.

16. A Contingency Plan of Emergency Procedures shall be developed by the PSES owner consistent with standard operating practices of the industry and furnished to the Municipality, the local fire company and the County Department of Emergency Services at the time the application for a permit is submitted. The same shall be reviewed and updated, if necessary, every five (5) years.

B. Ground Mounted Principal Solar Energy Systems:

1. Minimum Lot Size

a. The PSES shall meet the lot size requirements of the applicable zoning district,

OR

b. The PSES shall not be situated on a parcel smaller than_____acres/square feet.

2. Setbacks

a. PSES shall comply with the setbacks of the applicable zoning districts for principal buildings, O.K. GENERALLY THERE ARE NO BUILDINGS.

OR

✓ b. PSES shall be setback a minimum of 100 feet from adjacent residential districts.

MAY ALSO INCLUDE

c. If the PSES occupies two or more adjacent properties, setbacks between the adjacent properties shall be waived along the shared property boundaries so that the PSES may be installed continuously and make the most efficient use of the project area.
DEFINETLY!

OR

c. The minimum side and rear yards specified above may be waived in the case of adjoining tracts of land within a single PSES. In the case where the PSES development encompasses multiple tracts of land, the setback requirements shall apply to the development and not the individual tracts of land. The setbacks shall apply to the perimeter of the entire development.
DEFINETLY!

OR

d. If adjacent to any residential district or parcel with an existing residential structure, the solar panels must follow a minimum _____ setback while the fencing shall comply with the setbacks of the underlying zoning district. .ED NOTE: Examples list 50 Feet
SURE. COULD GO A LITTLE MORE?

OR

d. There shall be a minimum distance of one hundred _____ feet between the boundary line of adjacent non- participating lands utilized for residential purposes and any component of the PSES including buildings, panels and other equipment. ED NOTE: Examples list 125 feet I WOULD PROBABLY RE-WORD THAT TO SAY THAT NO SOLAR PANEL / ARRAY SHALL BE LOCATED WITHIN — FEET OF 10 THE BOUNDARY. SITE ALMOST ALWAY HAVE A SHADING BUFFER AROUND THE PERIMETER.

3. Height

a. Ground mounted PSES shall comply with the building height restrictions for principal buildings of the applicable zoning district,

OR,

b. Ground mounted PSES shall comply with the accessory building height restrictions for the applicable zoning district,

OR,

c. Ground mounted PSES shall not exceed_____feet in height.

4. Impervious Coverage

a. The area beneath the ground mounted PSES is considered pervious cover. However, use of impervious construction materials under the system could cause the area to be considered impervious and subject to the overall lot coverage requirement for the applicable zoning district. Gravel of paved access roads servicing the PSES shall be considered impervious coverage and calculated as part of the impervious coverage limitations.

OR

b. The following components of a PSES shall be considered impervious coverage and calculated as part of the impervious coverage limitations for the underlying zoning district:

i. Foundation systems, typically consisting of driven piles or monopoles or helical screws with or without small concrete collars.

ii. All mechanical equipment of PSES including any structure for batteries or storage cells.

iii. Gravel of paved access roads servicing the PSES,

OR

c. The surface area of the arrays of a ground mounted PSES, regardless of the mounted angle of any solar panels, shall be considered impervious and calculated in the overall lot coverage requirement for the applicable zoning district. THIS WOULD BE IMPRACTICAL.

v. Stormwater

a. The Applicant shall submit a storm water management plan that demonstrates stormwater from the PSES will infiltrate into the ground beneath the PSES at a rate equal to that of the infiltration rate prior to the placement of the system.

b. PSES owners are encouraged to use low maintenance and/or low growing vegetative surfaces under the system as a best management practice for stormwater management.

6. Screening

a. Ground mounted PSES shall be screened from adjoining residential uses or zones according to the standards found in the controlling ordinance.

OR

b. Ground mounted PSES shall be screened from any adjacent property that is residentially zoned or used for residential purposes. The screen shall consist of plant materials which provide a visual screen. In lieu of a planting screen, a fence that provides visual screening and meets requirements of the controlling ordinance may be used.
DO NOT REQUIRE SCREENING HEIGHTS THAT WOULD CREATE
OR SHADING ISSUES.

c. Street screening shall consist of slat fencing or shrubs, six feet to eight feet high when mature, that shall be planted every 15 feet of property abutting a public right-of-way. Shrubs shall be planted adjacent to or outside of the road right-of-way. Solar perimeter fence shall be placed between shrubs and solar panels.
d. Residential buffer screening may be slat fencing or a row of evergreen conifers or broadleaf evergreens spaced in accordance with the chosen species to achieve a continuous visual barrier reaching six feet to eight feet in height within two years of planting. Screening may be a combination of plantings and/or structures with prior approval by the Municipality.
e. Perimeter fence shall be placed between shrubs and solar panels
f. Widespread use of herbicides to control ground cover growth is prohibited.
g. Unless agreed to by the easement or right-of-way holder, ground-mounted PSES shall not be placed within any legal easement or right-of-way location, or be placed within any stormwater conveyance system, or in any other manner that would alter or impede stormwater runoff from collecting in a constructed stormwater conveyance system.

IS IT O.K. AROUND
PACKING POSTS?

7. Ground mounted PSES shall not be placed within any legal easement or right-of-way location, or be placed within any storm water conveyance system, or in any other manner that would alter or impede storm water runoff from collecting in a constructed storm water

conveyance system.

8. Security

a. All ground mounted PSES shall be completely enclosed by fencing that consists of a minimum eight (8) foot high fence with a locking gate, or as designated by the municipality.

b. A clearly visible warning sign shall be placed at the base of all pad-mounted transformers and substations and on the fence surrounding the PSES informing individuals of potential voltage hazards.

9. Access drives are required to allow for maintenance and emergency management vehicles. The minimum cart way width is 12'.

10. If a ground mounted PSES is removed, any earth disturbance as a result of the removal of the ground mounted solar energy system must be graded and re-seeded.

11. Solar grazing. Solar grazing with sheep is highly encouraged and a preferred method of controlling ground cover growth. Benefits of solar grazing:

GOOD IDEA! NO ONE SEEMS TO DO IT.

(a) Farm income is more diversified and increases family farm viability.

(b) Farmland conservation and keeps farmland in farm production.

(c) Added visual benefit and aesthetics for the community.

(d) Solar grazing contributes dairy, meat, and wool to the locally sourced, renewable farm market.

(e) With time, planning, and good management, sheep can do 90% to 100% of the vegetative maintenance work inside the fence, eliminating the need for mowing and reducing emissions and costs.

(f) If solar grazing to be provided, the following features are to be supplied, provided or allowed:

(1) Provide a water well for sheep if public water or reliable on-lot water (steam or pond) is not available.

(2) Seed fenced area with grazing-friendly seed mix, such as Fuzz & Buzz seed mix or similar.

(3) Where applicable, install fencing gates between adjoining solar parcels for moving sheep and line up gates between separately fenced sections of the arrays.

(4) Allowance to farmer to use portable low-voltage energizers and fences. In lieu of this fencing, installation of low (three-foot) interior fences to facilitate best grazing/vegetation management.

(5) Install pipe fences and gates around inverter/transformer pads.

(6) Allow signs on road gates for sheep farmers to advertise their organic, value-added products.

c. Roof Mounted Principal Solar Energy Systems:

1. The owner shall provide evidence certified by an appropriately licensed professional that the roof is capable of holding the load of the PSES.

2. PSES mounted on roofs of any building shall be subject to the maximum height regulations specified for principal and accessory buildings within the applicable zoning district,

OR

3. The total height of a building with an PSES shall not exceed by more than _____ foot/feet the maximum building height specified for principal or accessory buildings within the applicable zoning district.

Section 5 – Decommission

a. Documentation

1. An affidavit, or similar evidence, signed by the property owner and the PSES facility owner affirming a lease agreement with a decommissioning clause (or similar) and a successors and assigns clause. The decommissioning clause must provide sufficient funds to dismantle and remove the PSES, including all solar-related equipment or appurtenances related thereto, including but not limited to buildings, electrical components, roads and other associated facilities from the property. The successors and assigns clause must bind those successors and assigns to the lease agreement.

2. The PSES owner is required to notify the Municipality immediately upon cessation or abandonment of the operation. The PSES shall be presumed to be discontinued or abandoned if no electricity is generated by such system for a period of 12 continuous months and the owner has not initiated necessary remedial actions to return the PSES to a generating state. If the PSES owner fails to dismantle and/or remove the PSES within 18 months of cessation or abandonment, the Municipality may complete the decommissioning at the property owner's expense. The PSES owner must post a bond when the application for such a system is filed with the Municipality in an amount determined by the Municipality's Engineer, to ensure the proper decommissioning.

OR

3. The applicant for a Zoning Permit for a PSES shall execute an agreement with the Municipality providing financial security in an amount equal to one hundred ten (110%) per cent of the estimated cost to decommission the PSES. The estimated cost shall be prepared by the applicant and shall be in writing itemizing the costs. The estimated costs shall be subject to the approval of the Municipality. The financial security shall be:

MAY WANT TO DELAY SURETY / BONDING UNTIL YEAR 10 OR 15. THESE PROJECTS COST APPROX. $200,000.00 PER ACRE TO BUILD. THE WON'T DECOMMISION THEM PRIOR TO THAT. BONDING IS COSTLY.

(1) funds deposited with the Municipality,

(2) a bond from an entity acceptable to the Municipality or

(3) an irrevocable letter of credit from an entity acceptable to the Municipality

The agreement and financial security shall remain in effect until the PSES is decommissioned and the land restored to its original condition. The financial security may be utilized by the Municipality to pay the costs of repair, replacement, dismantling, removal and/or restoration of the PSES or the land as provided herein. Every five (5) years, a new estimate of the said costs shall be submitted to the Municipality in writing by the owner of the PSES. The said estimate shall be subject to the approval of the Municipality. The said financial security shall be adjusted to equal one hundred ten (110%) per cent of the said estimated costs. In the event the Municipality utilizes the said financial security as herein provided, the owner of the PSES shall, immediately, replace the funds so utilized to the 6-46 extent necessary to provide financial security in the amount of the said one hundred ten (110%) per cent. The Municipality shall be entitled to an administrative fee of ten (10%) per cent of the cost of any work done by it pursuant hereto. The same may be deducted from the financial security. Should the financial security not be sufficient to pay the costs and the fee, the owner of the PSES shall be liable for the costs and fees not paid from the financial security. The agreement referred to herein shall be prepared by the Municipality. All costs, expenses and fees incurred by the Municipality in reviewing the estimates or enforcing the said agreement shall be paid by the owner of the PSES within ten (10) days of receiving a bill for the same

3. During the operation of the facility, a new engineer's estimate of cost for decommissioning shall be submitted every 10 years to the Municipality. Upon approval of the estimated costs by the Municipality's Engineer, a revised surety shall be provided to the Municipality in the amount of 150% of the new estimate.

Section 6 - Administration and Enforcement

A. Applications

1. Permit applications shall document compliance with this Ordinance and shall be accompanied by drawings showing the location of the solar energy system on the building or property, including property lines. Permits must be kept on the premises where the solar energy system is located.

2. The permit shall be revoked if the solar energy system, whether new or preexisting, is moved or otherwise altered, either intentionally or by natural forces,

in a manner which causes the solar energy system not to be in conformity with this Ordinance.

3. The solar energy system must be properly maintained and be kept free from all hazards, including, but not limited to, faulty wiring, loose fastenings, being in an unsafe condition or detrimental to public health, safety or general welfare.

4. An approved land development plan shall accompany all permit applications excluding those for ASES which are accessory to a single-family residential use.

B. Fees and Costs

1. The Applicant shall pay all permit application fees and inspection fees when seeking approval of a solar energy system under this Ordinance, which fees shall be set by resolution.

2. The Applicant shall, prior to receipt of an approved permit, reimburse the Municipality for any actual fees or costs incurred arising out of or related to the Application (collectively the "Costs"). The Costs shall include, but not be limited to, engineering, zoning officer, building code official and legal fees.

OR

1. The Applicant shall pay the following fees when seeking approval of a solar energy system:

a. Permit Application Fee: $

b. Inspection Fee: $

2. The Applicant shall reimburse the Municipality for any actual fees or costs incurred arising out of or related to the Application (collectively the "Costs"). The Costs shall include, but not be limited to, engineering, zoning officer, building code official and legal fees.

C, Access

The landowner and developer shall execute an agreement with the Municipality authorizing the Municipality, its employees, agents and contractors to enter upon the real estate for the purpose of making inspections, repairs, replacements, dismantling and/or removal as provided herein, the same to include a release of liability for any damages caused by the Municipality, its employees, agents or contractors and an indemnification of the Municipality, its employees, agents or contractors. The said agreement shall be prepared by the Municipality and shall be submitted with the application for a permit signed by said owner and developer. NEED TO BE ACCOMPANIED BY DEVELOPER'S REPRESENTATIVE.

D. Modifications

The Municipality may grant modification of the requirements of one or more provisions of this Ordinance if the literal enforcement will exact undue hardship because of peculiar conditions pertaining to the property in question, provided that such modification will not be contrary to the public interest and that the purpose and intent of the Ordinance is observed.

All requests for a modification shall be in writing and shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of the Ordinance involved and the minimum modification necessary.

E. Enforcement

1. Upon the receipt of a written complaint setting forth the existence of unauthorized construction, modification, or use in violation of this Ordinance, or other notice thereof, the Municipality's Superintendent of Public Works, Zoning Officer, Code Enforcement Officer, Solicitor or other representative that may be authorized by the Municipality's governing body (the "Enforcement Officer") shall cause written notice to be given either by personal service or registered or certified mail to the Applicant of the Property upon which the violation exists, to immediately cease and the construction, modification or the unauthorized use of the solar energy system. Such a written notice shall be required to enforce the remedies set forth in this section. However, the Municipality shall still be entitled to give a verbal notice for defective systems as authorized above.

2. Upon failure of such Applicant to comply as directed in said notice, the Enforcement Officer, other municipal officials or solicitor may appear on behalf of the Municipality and initiate legalproceedings to enforce the provisions of this Ordinance before a District Magistrate.

3. Any Applicant who or which shall violate or permit to be violated the provisions of this Ordinance shall, upon being found liable therefore in a civil enforcement proceeding brought by _____(Municipality) before a District Magistrate, pay a fine of not less than _____hundred ($__00.00) nor more than_____hundred ($_00.00) dollars, plus all court costs, including reasonable attorneys fee's incurred by _____ (Municipality) as a result thereof. No fine shall commence or be imposed, levied, or be payable until the date of the determination of the violation by a District Magistrate. Each day that a violation exists and is continued shall constitute a separate offense, unless the District Magistrate who determines that a violation has occurred further shall determine that there was a good faith basis for the defendant to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of determination by such District Magistrate and thereafter every day shall constitute a separate offense.

4. In addition, the Municipality shall also be entitled to recover from any Applicant all the Municipality's costs or fees (collectively the "Costs") arising out of or related to the

application or enforcement of this Ordinance. Such Costs may also include those to remedy violations of this Ordinance or to abate nuisances. The Costs shall include, but not be limited, engineer fees, geologist fees, attorney fees, zoning officer fees, and staff/employee time. The Costs may be collected as a Municipal Claim under applicable law against the property upon which the solar energy system, or portions thereof, is located.

OR

Reference Sections of Current Zoning Ordinance Enforcement Requirements

Section 7 – Construction and Severability

A. The provisions of this Ordinance shall be construed to the maximum extent possible to further the purposes and policies set forth herein, as consistent with applicable state statutes and regulations. If the provisions of this section and state law are in conflict, then state law shall prevail.

B. It is the intention of the Municipality's governing body that the provisions of this Ordinance are severable and if any provisions of this Ordinance shall be declared unconstitutional or invalid by the judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining provisions of this Ordinance.

Section 8 – Repealer

All prior ordinances that are inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 9 – Effective Date

This Ordinance shall become effective five (5) days after its enactment.

Enacted and Ordained this_____day of_____20_.

Attest:_____

_____ By:_____

Secretary President/Chair

IF A BOROUGH/CITY

Approved this_____day of_____20__.

_____

Mayor

OTHER THINGS TO CONSIDER:

1.) CONSTRUTION TRAFFIC NEAR SCHOOL ZONES DURING STUDENT DROP OFF & PICK UP.

2.) PAVE ENTRANCE OF ACCESS ROAD TO PUBLIC ROAD R-O-W.

3.) ROAD BONDING - HEAVY CONSTRUCTION TRAFFIC. ONLY PICKUP & LIGHT TRUCKS AFTER THAT.

Chapter 142. Solar Energy Systems

[HISTORY: Adopted by the Board of Supervisors of the Township of Patton 7-19-2017 by Ord. No. 2017-586. Amendments noted where applicable.]

GENERAL REFERENCES
Zoning — See Ch. **175**.

§ 142-1. General regulations.

A. Location.

(1) Primary use solar energy systems may only be located in the zoning districts where they are listed as a permitted use, conditional use, or designated use.

(2) Accessory use solar energy systems shall be permitted in all zoning districts.

(3) In the University Planned District, ground-mounted solar energy systems, whether primary or accessory, shall be located only in the subdistricts that permit utility uses, facilities, and structures. The exception to this shall be ground-mounted systems that are minimal in size and designed to only provide energy to an adjacent device or structure.

(4) In the Planned Airport District, solar energy systems must additionally conform to all Federal Aviation Administration (FAA) regulations as specified in § **175-36C**, Use regulations.

B. Height. All solar energy systems shall follow the maximum height requirements of the zoning district they are located in with the following additional requirements for building-mounted systems:

(1) Systems on sloped roofs that face an adjacent right-of-way shall be installed at the same angle as the roof with a maximum distance, measured perpendicular to the roof, of 18 inches between the roof and highest edge of the system.

(2) Systems on sloped roofs that do not face an adjacent right-of-way shall be installed at any angle, given that the highest point of the system does not exceed the highest point of the roof it is attached to.

(3) Systems on flat roofs shall be installed so that the highest point is no greater than six feet above the roof to which it is attached.

C. Setbacks.

(1) No portion of any solar energy system or its related appurtenances may be located within the setback areas specified by the zoning district in which they are located.

(2) Building-mounted systems shall not extend beyond the edge of the roof, wall, or other surface they are located on.

(3) Systems located on roofs of primary use structures shall maintain at least a thirty-inch-wide pathway on at least three sides of the system except on flat roofs, in which case all four sides of the system must have a minimum thirty-inch-wide pathway.

(a) If the thirty-inch pathway limits the effective size of the system, the Township Zoning Officer may request that the Centre Region Fire Director determine whether a lesser width

pathway is permissible and that it will not jeopardize the safety of firefighters in the event of an emergency.

(b) In the event that a sloped roof has two roof planes that meet to form hips or valleys, the 30 inches shall be measured between the solar energy systems located on each roof plane.

(c) This requirement shall not apply to nonhabitable accessory structures such as garages, carports, sheds, and the like.

D. Lot coverage. The horizontal area projected by the system in addition to all impervious surfaces shall not exceed the maximum lot coverage allowed in the zoning district. For a tracking solar collector or other moveable solar energy system, the horizontal projection area shall be calculated at a thirty-three-percent tilt angle.

E. Battery. If the system utilizes a battery system, the battery(s) must be placed in a secure container or enclosure.

F. Aviation notification. All proposals for systems 7,500 square feet or greater in size, or which are intended to produce 100 kilowatts or greater, and which are located within five miles of the end of the University Park Airport runway will be forwarded to the University Park Airport by the Township to ensure that there are no aviation-related concerns.

§ 142-2. Solar energy systems as primary uses.

A. Applicability. A solar energy system shall be considered a primary use under the following conditions:

(1) The system is a utility scale solar energy system, as defined in § **175-6**, Definitions; interpretations of regulations.

(2) The system is connected into the utility grid and produces electricity at a capacity that consistently provides energy to the grid. Grid-connected systems that are only utilized periodically will be considered an accessory use to the primary permitted use of the lot(s) and regulated as such.

B. Screening and visibility.

(1) All building-mounted solar energy system appurtenances should be painted and/or coated a color similar to the surface upon which they are mounted or otherwise designed to be as inconspicuous as possible.

(2) All ground-mounted system installations must adhere to the following buffering requirements:

(a) In the Industrial, General Commercial, and Planned Commercial Districts, installations must meet the requirements of § **175-44**, Districts design and landscaping controls for R-3, Commercial (C), Office Buffer (OB) and Industrial (I) Districts.

(b) In the Commercial Transitional District, installations shall adhere to the buffering requirements of § **175-17.3G(1)**, Screening.

(c) In the Planned Community District, installations shall meet the buffering requirements of § **175-24A(4)**, Buffer yards and landscaping.

(d) In the Planned Airport District, installations shall follow the buffering requirements of § **175-40**, Design and improvement standards.

(e) In the Rural, Natural Resources, Natural Resources and Recycling Districts, and the University Planned District, installations must adhere to the buffering requirements of § **175-42**, Procedures and criteria for conditional uses.

(f) Any installations within the I-99 Interchange Overlay District shall adhere to the additional buffering requirements of § **175-40.3**, Setbacks and landscaping.

C. Warning signage. The identification and contact information of the owner, installer, or manufacturer of the system and warning signage shall be posted at the site in a clearly visible manner.

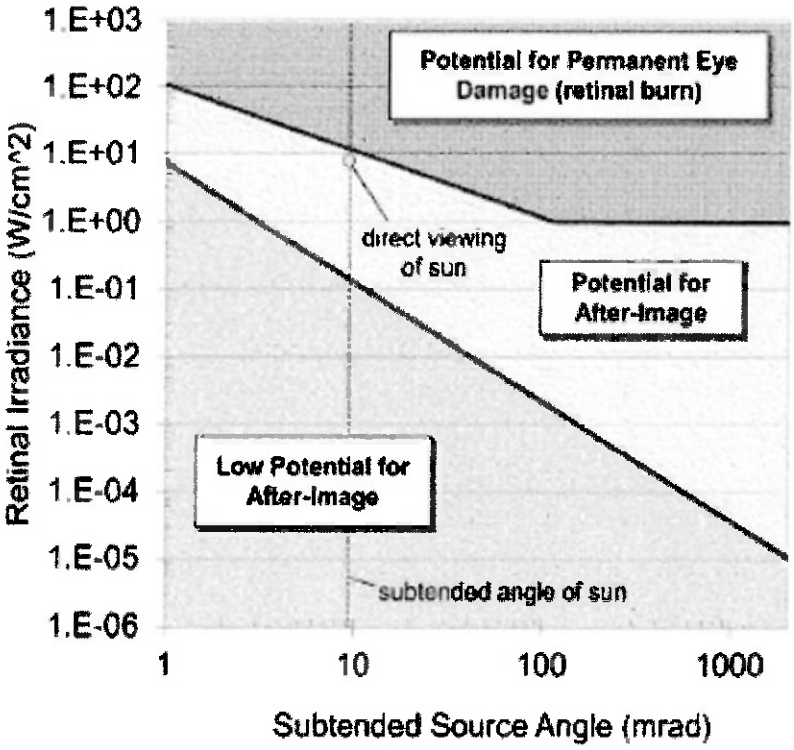
D. Fencing. Primary use systems shall be enclosed by perimeter fencing of an appropriate height to restrict unauthorized access.

E. Power lines. To the greatest extent possible, on-site power lines shall be placed underground.

F. Glare. Primary use solar energy systems shall be designed and installed in a manner as to not project any glare or glint onto any adjoining property or roadway as follows:

(1) A glare and glint study report from the latest version of the ForgeSolar GlareGauge© tool, or equivalent, shall be provided to the Township by a registered professional, as defined in § **147-11**, Definitions and word usage. The tool shall be used to determine that the solar energy system will have no ocular impact or low potential for temporary after-image ocular impact as illustrated by the solar glare ocular hazard plot in Figure 1. The observation points used with the tool shall be determined in coordination with the Township.

Figure 1



Solar Glare Ocular Hazard Plot: The potential ocular hazard from solar glare is a function of retinal irradiance and the subtended angle (size/distance) of the glare source. It should be noted that the ratio of spectrally weighted solar illuminance to solar irradiance at the earth's surface yields a conversion factor of ~100 lumens/W. Plot adapted from Ho et al., 2011.

Chart References: Ho, C.K., C.M. Ghanbari, and R.B. Diver, 2011, Methodology to Assess Potential Glint and Glare Hazards from Concentrating Solar Power Plants: Analytical Models and Experimental Validation, J. Solar Energy Engineering, August 2011. Vol. 133.031021-1 - 031021-9.

(2) The Township reserves the right to require one or more of the following to limit glare:

(a) Modification of the location, angle of tilt, and/or azimuth angle of the solar collector(s).

(b) Placement of landscaping or other physical object to limit the projection of glare or glint.

(c) Utilization of anti-reflective (AR) glass on the solar energy system.

(d) Utilization of glass with a light-diffusing texture on the front surface.

G. Procedure. All applications for primary use systems shall be reviewed and approved pursuant to the plan review procedures of Chapter **153**, Subdivision and Land Development.

H. Removal.

(1) If a primary use system ceases to perform for more than 12 consecutive months, it shall be considered abandoned, and all equipment, devices, and other appurtenances shall be removed by the owner within 90 days.

(2) Upon determining that a primary use system has been abandoned, the Zoning Officer shall issue notice to the property owner. The owner shall have the right to respond to within 30 days of receipt of the notice.

(3) If all equipment, devices, and other appurtenances are not removed or repaired within 90 days of receipt of the notice of abandonment, the Township may pursue legal action to have the solar energy system removed at the owner's expense.

§ 142-3. Accessory solar energy systems.

A. Applicability. A solar energy system shall be considered an accessory use under the following conditions:

(1) The system does not meet the criteria for a utility scale solar energy system, as defined in § **175-6**, Definitions; interpretations of regulations.

(2) Large developments or institutions may utilize a solar energy system as an accessory use given that its capacity is such that it is designed to supplement the energy needs of the development or institution.

(3) Interconnection of a system into the utility grid shall not disqualify it from being an accessory use, given that the interconnection is only utilized periodically and the system can be defined as a customer-generator under 52 Pa. Code § 75.1.

B. Glare. Glare or glint from a solar energy system shall be regulated as follows:

(1) It shall be the responsibility of the applicant to demonstrate to the Township that the proposed system will be installed in a manner that will limit glare or glint.

(2) The latest version of the ForgeSolar GlareGauge© tool or an acceptable equivalent may be used to demonstrate to the Township the amount, location, and time of day that glare may be projected onto any habitable structure(s) on an adjacent property or right-of-way.

(3) Any ground-mounted or building-mounted solar energy system with a solar collector surface area greater than 1/2 acre shall perform a solar glare analysis study in accordance with the regulations for primary use solar energy systems.

(4) The Township reserves the right to require one or more of the following to limit glare:

(a) Modification of the location, angle of tilt, and/or azimuth angle of the solar collector(s).

(b) Placement of landscaping or other physical object to limit the projection of glare or glint.

(c) Utilization of anti-reflective (AR) glass on the solar energy system.

(d) Utilization of glass with a light-diffusing texture on the front surface.

C. Building-integrated solar energy systems. The regulations herein shall not apply to building-integrated solar energy systems, given that they do not make the structure nonconforming with any other zoning regulations.

D. Self-contained solar energy systems. Solar energy systems located on a light fixture, sign, or other similar device shall be permitted with the following regulations:

(1) The system is limited in size so that it provides only enough energy for the device it is mounted on.

(2) No part of the system shall extend more than three feet above the device it is mounted to or the maximum height permitted in the district, whichever is greater.

E. Parking lots and structures. Solar energy systems placed in parking lots shall be designed and installed as follows:

(1) Systems shall be placed at a minimum height to sufficiently allow access for motor vehicles to park underneath them. If the system is placed over a drive aisle, the minimum clearance at the lowest point of the system shall be 14 feet.

(2) A system located over the top level of a multilevel parking structure shall not exceed a maximum height of 20 feet as measured from the driving surface to the highest point of the system.

F. Procedure. All solar energy systems as defined herein shall require a zoning permit pursuant to § **175-56**, Zoning permit.