



LOWER NAZARETH TOWNSHIP PLANNING COMMISSION

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Planning Commission

Linda Crook, Chairperson
Zachariah Cobrinik, Vice Chairperson
Tara Capecci, Secretary
Hugh Harris
Ronald Siedlecki

Planning Commission Minutes December 20, 2010

Chairperson, Linda Crook, called the meeting to order at 7:00 p.m. Also in attendance: Commission Members Zach Cobrinik, Hugh Harris and Ronald Siedlecki; Township Engineer Albert Kortze, and Lori Seese, Planning & Zoning Administrator. Commission Member Tara Capecci was not present.

APPROVAL OF MINUTES

The motion to approve the minutes of the October 18, 2010 Planning Commission meeting was moved by Hugh Harris and seconded by Zach Cobrinik. The motion carried unanimously.

CORRESPONDENCE & ANNOUNCEMENTS

Proposed Zoning Ordinance Amendment – Solar Energy Systems – Commission Members reviewed particular sections of the proposed ordinance and in general, disagreed with spirit of the proposed ordinance, particularly the intent to limit commercial solar operations. Instead of discouraging solar energy, they suggested the ordinance be re-written to separately address residential and commercial solar uses, and address setback and buffering requirements to minimize the effects of solar energy systems impinging upon their neighbors. Sections they commented on in particular are itemized in italics below:

Section 2: Definitions, Page 2

Solar Energy System: ... electrical energy to meet all or a significant part of a structure's energy requirements. *How will "a significant part" be measured? Where is the definition for smaller systems? Are they allowed? How will this be regulated?*

Section 3: Section 1620, SOLAR ENERGY SYSTEM, Page 4

3. All Solar Energy Systems shall be located so as not to cast glare upon neighboring properties or adjacent public or private streets. *How will this be enforced? How will the Township know in advance that it won't cast glare before the application is approved? And what happens if a neighbor claims the panels are creating a glare?*
4. All Solar Energy Systems shall be used solely for the purpose of providing electric to the property upon which they are situated. *The Planning Commission felt this should be removed in its entirety because the ordinance shouldn't preclude anyone from making electricity if they can.*
7. All Solar Energy Systems which are not mounted on the primary use building on a lot shall be located in the rear or side yards only.

9. Ground mounted Solar Energy Systems shall be not less than ten (10') feet from any side or rear property line. Solar Energy Systems are prohibited in front yards and shall not be located between the front wall of the principal building and adjacent street.

Setback requirements are mentioned in both items. Conflicting language for primary and accessory uses. Consider consolidating items 7 and 9, and make clearer.

Section 3: Section 1620, SOLAR ENERGY SYSTEM, Page 5

11. Solar energy commercial operations and electric generation as defined herein are prohibited as principal uses except where specifically provided otherwise in this Zoning Ordinance. *In what zones are commercial solar energy operations and electric generation permitted? Agriculturally zoned properties should be permitted to have these types of uses.*

Section 3: Section 1620, SOLAR ENERGY SYSTEM, Page 6

16. Ground mounted Solar Energy Systems are prohibited on lots of less than one acre.
17. No more than five (5%) percent of a lot may be covered with a ground mounted Solar Energy System.
The Planning Commission disagrees with the density prohibitions. Since alternative energy is needed, a property owner should be able to overproduce energy if they so desire.
21. No Solar Energy System shall be designed or installed to generate energy in excess of the requirements of the property upon which it is located. *The Planning Commission disagrees with any limitation on the quantity of electricity that may be produced from a particular property.*
22. There shall be no commercial use of Solar Energy Systems except for the energy generated in excess of the requirements of the property and purchased by a public utility in accordance with the law or other governmental regulations. *The Ordinance does not allow for commercial use of electricity generation and should be amended to allow for it.*

SUBDIVISION AND LAND DEVELOPMENT

No items of discussion.

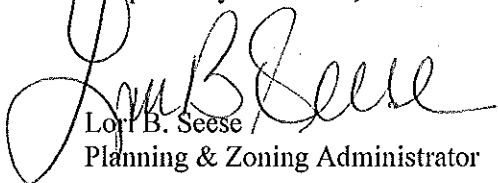
COURTESY OF THE FLOOR

There were no items of discussion.

ADJOURNMENT

The motion to adjourn was moved by Hugh Harris and seconded by Zach Cobrinik. The motion carried unanimously. The meeting adjourned at 7:45 p.m.

Respectfully submitted,



Lori B. Seese
Planning & Zoning Administrator