

OXFORD TOWNSHIP PLANNING COMMISSION MEETING MINUTES

February 12, 2020

Chairman Linda Buffenmyer called the meeting to order by the Pledge of Allegiance to the American Flag at 6:30p.m. The following members were in attendance; Verna Feeser, Ronald Groft, and Bob Martin. Sitting with the members were Township Engineer Terry Myers and Secretary Beverly Shriver.

Motion on Previous Meeting Minutes:

Verna Feeser second by Ronald Groft motioned to approve the January 8, 2020 meeting minutes as written. 4 Aye Votes

Public Comments Non-Agenda Issues: None.

Plans with Representation:

Oxen Country Meadows Final Land Development Plan-Phase II Sections 3 & 4:

Bony Dawood, Owner and Scott Sozanski, Project Superintendent were present on behalf of the plan. Dawood got involved after approvals were in place and Phase I was completed. There were approvals in place for 46 townhomes but none were constructed. There was some infrastructure done and then the developer had financial difficulties and the plan sat dormant for some time. Dawood is trying to bring the project back to life. Its about 12 acres of ground. There were 12 units built. Dawood provided NOMA with a water line easement; NOMA constructed a water line back to their property and put a gravel driveway back to their tank.

Dawood wants to move into the next phase of the project, Phase II Sections 3 & 4. There will be 15 rental units constructed as needed over a year and a half; three more units built at a later date. There will be two-bedroom units in the center and three-bedroom units on the ends. Dawood owns and manages the properties; by screening and doing background checks of the tenants and all the property maintenance, roads and all other aspects of the community.

The Planning Commission came to realize this plan was approved earlier without thought to how emergency vehicles would navigate around Davidson Court. They would have to pull onto Davidson Court and back out to leave the property. Steve Rabine, United Hook and Ladder's Fire Chief should be made aware of this. Dawood explained there are times you can provide a turn- a-round area but with the pond location it would be difficult. Dawood could eliminate some units and or move some units to a different location but this would be a change to what was currently approved.

There are two fire hydrants spaced 600ft. apart. Units 34,35,36,37,38,39 units will have sprinkler systems. Dawood will let units 44,45,46 as the last units to be built to keep open spaces there as long as possible. There are 72 parking spaces proposed that's almost 5 spaces per unit. Dawood said units 36 & 46 on the ends can be marked as parking spaces striped off "no parking" and utilized as a turn- a-round area. Rabine should look at this and see if this solution would work for them at least for the ambulance. Dawood will look at the parking layout if there is room for any improvements when he starts to build the last three units. Dawood wants to make it a safe community.

Dawood received Terry Myers comments letter dated February 11, 2020.

Myers needs to clarify some improvements that need to be made on Robinson Drive (curbing and sidewalk) proposed on the original plan. Dawood will complete these improvements with Phase 3 & 4 and overlay this section of Robinson Drive.

Dawood will check if they paid any recreation fees; he is not sure if they were paid for the last 12 units built. It's an unusual project with starting and stopping of the plan.

Myers emailed the township solicitor for his interpretation on the grandfathering of this plan when it was approved; the extension of time and how the recreation fund would be addressed.

Dawood reported NOMA grandfathered their tapping fee.

The Planning Commission is waiting to receive Adams County review comments and wants to hear from the Fire Chief. Jean Feeser second by Bob Martin motioned to table the Oxen Country Meadows Final Plan-Phase 3 & 4 until they receive Adams County review comments and the Fire Chief's comments on turn-a-round areas. 4 Aye Votes

Summerfield Final Phase I; 90-Day Time Extension Request: Summerfield is working on an alternate sanitary sewer line with the developers of Berlin Junction and NOMA. Ronald Groft second by Bob Martin motioned to accept the 90-day time extension request. 4 Aye Votes

Oxford Pointe Preliminary Plan Waiver Request of Section 26-136.12.C Maximum Side Slope: Terry Myers explained their basin is designed 3 to 1 slope because of being squeezed in against the wetlands. Myers approves of the waiver as long as they provide low maintenance vegetative growth on the slopes and they put fencing up. A 3 to 1 slope is maintainable. Ronald Groft second by Jean Feeser motioned to recommend the Board of Supervisors grant Oxford Pointe Preliminary Plan a waiver to Section 26-136.12. C. Maximum Side Slope provided they use low maintenance grass cover and fencing to Oxford Pointe Preliminary Subdivision Plan. 4 Aye Votes

Review Solar Energy Ordinance: The Planning Commission received a copy of an updated ordinance to review.

Section 3. 27-302 Permitted Uses: Update shows Conditional Use under all zoning districts except Residential High.

Section 27-549A. (6) Update reads; The Solar Electric Facility shall be enclosed by a fence, barrier, or other appropriate means with a minimum height of six feet to prevent or restrict unauthorized persons or vehicles from entering the property.

Section 27-549A. (10)(a) Minimum setback requirements

- (1) Front: 50ft.
- (2) Side: 30ft.
- (3) Rear: 30ft.

Terry Myers went over additional items talked about at the Board of Supervisors workshop earlier today.

Section 27-549A. (10) There is a "type o" the word render this chapter; should say, under this chapter.

Section 27-549A. (10) (c) There should be an additional 6 requirements listed taken from DEP's Frequently asked questions dated January 2, 2019 on Chapter 102 Permitting for Solar Panel Farms Question #4: What are the PCSM requirements for a fixed-panel unit? If you meet

these 6 conditions the project area of a fixed photovoltaic solar panel farm project can be considered pervious cover: (If you can't meet these conditions you would have to do a stormwater management plan)

1. The utilization of low impact construction techniques must be used as to not pack down and to cause more run off.
2. Vegetative cover must have a minimum uniform 90% perennial vegetative cover.
3. The individual photovoltaic panels within an "array" are arranged in a fashion that:
 - (a) allows the passage of runoff between each module, thereby minimizing the creation of concentrated runoff.
 - (b) Allows for the growth of vegetation beneath the panel and between "arrays." Which is a combination of panels.
4. Ground mounted solar panels that are supported with structures/foundations require little earth disturbance for their installation/construction. Unless evidence is provided to the contrary, it will be assumed that for these ground mounted solar panels themselves (not including access drive, etc.) will disturb 5% of the total project area.
5. Solar panels must be situated on slopes of 10% or less.
6. The lowest vertical clearance of the solar array should be 10 feet or less from the surface of the ground but must be of adequate height to promote vegetative growth below the array. Limiting the height of the solar array will minimize the potential for accelerate erosion to occur along the drip line of the solar array.

Add 7. Limit the width of the rows of panels to a maximum of thirteen and a half-(13 ½) feet.

There was discussion about Setbacks; Terry Myers suggested they add as a definition that "all components of the solar electric system shall be considered principal structures". So that they would be subject to the principal setbacks. If it is an accessory structure; accessory structures have a different setback. Everything should stay at the 50', 30', 30' foot setback away from the property lines. So, we have to define all the structures, all the components are considered principal structures and subject to the principal structure setbacks.

Discussion on Buffer yards; the current Zoning Ordinance allows buffer yards and setbacks to be congruent. If you have a 50' foot buffer yard and a 50' foot setback they can be counted as the same 50 feet not 100' feet back. The buffer yard is going to start at the right-of-way; which is 25' feet back off the center of the street. They have to stay out of the site triangle.

Township Zoning Ordinance, Chapter 27-419 Landscaping, Buffer Yards and Screening: Myers read 3. (A) Screening shall principally contain evergreen trees with a minimum height at planting of four feet. The tree shall be able to produce a mostly solid year-round visual screen of six feet in height within three years. The trees shall be planted in a staggered or offset fashion to allow for future growth.

Myers suggests and recommends adding "the screening goes in first before they start construction"; then the screening is already in place. That way the adjacent property owners don't have months of looking at the construction of the solar panel farm.

Screening and Fencing: Out front you would have your street and right-of-way; from the right-of-way there will be a 50' foot setback and buffer. The Board of Supervisors would like to see the screening go in the first 25%; at the front tip of the buffer yard. They want to keep the screening out towards the road further because the closer you keep it to your advantage point the more screen you are going to get. The further you go back your sight of vision keeps going down.

There is required fencing; it has to be outside of the buffer yard. It would be right at the edge of the buffer yard. There would be the street or property screening, open space, fence & then units.

The access drives are not allowed in the buffer yards. They can cross it perpendicularly but you can't run it parallel along the buffer yard.

John Baranski was going to take this information talked about today with the Board of Supervisors and incorporate it into the ordinance. There will be another draft. Myers will work with Baranski on #11.

The Planning Commission excused Terry Myers and Nate Simpson from the meeting and resumed reviewing Chapter 22. Starting with Section 22-407 Lot Frontage: Shriver is to ask Terry Myers what a reverse-frontage lot is?

No additions or deletions.

Start again at Chapter 22-411. Restrictions in Presence of Carbonate Features.

Adjournment: Jean Feeser second by Ronald Groft motioned to adjourn the meeting. Motion carried. Meeting adjourned at 8:05p.m.