

FRANKLIN TOWNSHIP PLANNING COMMISSION

Meeting Minutes – March 19, 2025

Commissioners in attendance:

Denny Robinson, Dale Graves, Eric Miller, JR Crushong, Jim McDannell, Gary Deardorff, Jed Fetter

Others in attendance:

Dominic Picarelli, KPI Technology; Lynda Beckwith, PMCA, Chris Santay, Supervisor

CALL TO ORDER

- Meeting called to order by Denny Robinson, Chairman, at 7:00pm.

APPROVAL OF MINUTES

- **MOTION to *APPROVE FEBRUARY minutes*, by Dale Graves, seconded by Gary Deardorff.**
 - **MOTION CARRIED UNANIMOUSLY.**

SKETCH PLANS

- None

PLANS

- **Willow Farms Preliminary Subdivision**
- Although on the agenda, no representatives were present to discuss this plan.
 - **MOTION: The Planning Commission *recommends APPROVAL of a waiver of recreational area requirements*, by Jed Fetter, seconded by Gary Deardorff.**
 - **MOTION APPROVED UNANIMOUSLY.**
- **Solar Facility – 170 Bingaman Road, 391 Peach Tree Road, 366 Orrtanna Road**
- Representatives from Formation Energy and their legal and engineering teams addressed questions and concerns regarding the proposed Franklin Solar Project, a pair of co-located, 3 MW solar facilities totaling approximately 6 MW across three parcels.
- **Lot Line Setbacks and Ownership Concerns.** A central concern raised by the planning commission involved the ordinance's requirement for a 200-foot setback from all lot lines. Since the project spans three lots owned by different members of the Bream family, commissioners questioned the legality of building across these boundaries

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without honoring internal setbacks. Formation Energy argued that the ordinance's definitions of a "lot" and "solar energy facility" allow the project to be treated as a single lot for zoning purposes if operated by one leaseholder. They cited similar interpretations accepted in other Pennsylvania municipalities. Commissioners remained skeptical, citing potential risks if parcels were sold independently in the future. Formation Energy stated that they would consider adjusting ownership or lease agreements to comply, if necessary.

- **Internal Cartway Width Between Panel Rows.** The ordinance mandates a 20-foot cartway between solar array rows. The submitted plans showed 16.2 feet in some cases. Formation clarified that this measurement reflected panels in their flat position, whereas in their “stowed” or tracking position, the panels provide 20 feet. They argued this met the “greatest parallel width” condition in the ordinance and noted the fire chief found 16.2 feet acceptable. Nonetheless, commissioners highlighted ambiguity in the ordinance language and recommended the Board of Supervisors closely evaluate this issue at the conditional use hearing.
- **Screening and Visibility from Elevated Properties.** Commissioners questioned whether the proposed visual screening would adequately shield the facility from nearby homes at higher elevations. The applicant interpreted the ordinance as requiring supplemental screening only when natural topography and vegetation fail to block at least 95% of the facility from ground-level vantage points. Commissioners contested this interpretation, citing specific ordinance language limiting visibility to 5%, including from elevated homes. The applicant disagreed with that reading, stating that Pennsylvania law does not guarantee view protection. They argued that the ordinance’s language simply identifies when natural screening is sufficient and noted the project includes substantial buffering with trees planted at six to eight feet tall.
- **Noise Impact.** A noise study commissioned by Formation Energy found that even during peak inverter operation (daylight), sound levels would be comparable to a soft whisper (35 dBA) at the closest property line. At night, only transformers would operate, with minimal noise. The study assumed worst-case conditions and did not include the noise-reducing effects of panels or vegetation. The study used World Health Organization standards since the township lacks noise regulations.
- **Stormwater and Environmental Impact.** Stormwater management was addressed through detailed calculations showing no increase in runoff volumes or rates, with modeling for gravel roads and meadow-style ground cover beneath panels. The panels will be installed in a minimally invasive manner, and fencing will allow wildlife passage. The applicant noted that the project's total disturbance footprint was only a small fraction of the total acreage—approximately 10 to 20% per parcel—and orchards would remain in use outside fenced areas. Formation confirmed that required environmental studies, including wetlands and threatened species evaluations, were complete, with no identified conflicts.

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- **Emergency Response and Safety.** Emergency response procedures include 24/7 remote monitoring and coordination with local fire departments. Although remote shutdown capabilities exist, most utilities require manual reactivation. The applicant committed to additional fire department training and clarified that the silicon-based panels proposed are largely non-flammable, posing minimal fire risk.
- **Ownership, Taxation, and Decommissioning.** The facility will be funded and potentially owned by Madison Energy. The applicant acknowledged the project could be sold in the future, but conditions of approval and lease agreements would remain binding regardless of ownership changes. The parcels are currently enrolled in Pennsylvania's Clean and Green program, which lowers agricultural property taxes. Solar use will trigger withdrawal, resulting in seven years of back taxes and interest paid to the state, and a higher ongoing assessment. The developers will also post a decommissioning bond, reviewed every five years.
- **Economic and Agricultural Impacts.** Developers positioned the project as a way to provide long-term supplemental income to landowners, especially farmers, without permanently altering the land. They contrasted this with residential development, which irreversibly consumes farmland. Commissioners questioned the opportunity cost of removing land from food production; the applicant countered that Pennsylvania already loses more land annually to non-farming uses than solar development is likely to consume.
- **Federal Incentives and Supply Chain.** Developers explained that while Formation's financing is not dependent on the Inflation Reduction Act (IRA), tax credits influence solar industry economics nationwide. Panel suppliers, such as Canadian Solar, are expanding U.S. manufacturing. The developer emphasized that long-term success of domestic solar supply chains relies on stable U.S. market demand.
 - **MOTION: The Planning Commission *RECOMMENDS APPROVAL of a conditional use for this Solar Facility Project* by Denny Robinson, seconded by Gary Deardorff.**
 - **MOTION APPROVED by a vote of 5-2.**
 - Further, the Planning Commission recommends the Board of Supervisors consider the following items for inclusion in conditions, pending approval of a conditional use:
 - **1. Screening Adequacy and Elevation Visibility** – Whether proposed landscaping meets ordinance visibility limits from elevated homes, and whether an operations and maintenance (O&M) agreement is needed to ensure longevity.

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- **2. Lot Line Setback Compliance** – Whether the current cross-lot design is permissible under local zoning, or if a merger or waiver is required.
- **3. Cartway Width Interpretation** – Whether measuring the 20-foot cartway width at panels' steepest tilt complies with the ordinance intent.

OLD BUSINESS

- None

NEW BUSINESS

- None

GUESTS

ADJOURN

- Meeting adjourned at 8:55pm by Denny Robinson, Chairman.