



Planning Commission Meeting Minutes
May 1st, 2024

Chairman Wayne Hoffman called the Planning Commission meeting to order at 7:00 PM on May 1st, 2024. Members present: Eric Harlacher, Mark Miller, Monica Love and alternates Anthony Pinto, and Stephen Stefanowicz. Other Township Representatives in attendance were John Baranski, Solicitor; John McLucas, Zoning Officer; Terry Myers and Cory McCoy, Township Engineers with C.S. Davidson; and the Recording Secretary. Justin Bigham was absent with prior notice. There were about 30 members of the public present.

It was noted that Anthony Pinto will be a voting member at tonight's meeting.

- I. **Approval of Minutes** from the Planning Commission meeting held on April 3rd, 2024, and the special Planning Commission meeting that was held on April 25th, 2024, was tabled until the June Planning Commission meeting.

Motion by Harlacher, seconded by Miller to table the approval of the Planning Commission Meeting Minutes from April 3rd, 2024, and the special Planning Commission meeting minutes from April 25th, 2024, until the June Planning Commission meeting. All members voted aye; motion carried.

II. Plans

- a. PL 23-7 – Dover Solar I - Preliminary Land Development Plan - Installation of Principal Solar Energy System (PSES) on the total available site area of approximately 824 acres. Panel installation and limit of disturbance to be approximately 271 acres. Various lands in Industrial, R1, & Ag District.

Present on behalf of Dover Solar I-Preliminary Land Development Plan was Kyle Spayd, Civil Engineer with WSP USA, and David Caprelli, Sr. Development Manager with Enel North America. They are proposing to build a utility-scale Solar Farm on fourteen parcels of land in Dover Township which encompasses 823.7 acres of land. Of that acreage, only 271 acres will be used for the panel arrays. That is only about 1/3 of the land area. The parcels span from W. Canal Road to Butter Road, George Street, Nursery Road, and Temple School Road. They received Special Exception approval back in 2022. This project has been designed with 75-foot setbacks from all surrounding property lines to the arrays. The plans do meet all the conditions that were set, including being prohibited from using the bridge off Butter Road. They propose to build a new bridge on Matthew Lamparter's parcel. All fencing will be installed between the panels and the buffer screening. No improvements will be made to the sanitary sewer system. They are proposing an 8" main water extension from the Shadowbrooke Development going up Cardinal Lane entering their site off Canal Road. The furthest hydrant would be less than 600 feet from the switching station. They are proposing improvements to Cardinal Lane that will include new curbs on both sides of the road with a sidewalk on the Northeast side only, which is consistent with the improvements near Shadowbrooke Drive. The southwest sidewalk



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improvements would create negative impacts on adjoining property owners as well as unavoidable impacts on the delineation of wetlands and streams.

For stormwater, they are proposing two permanent infiltration systems located at the substation that will be accessible through stone roads and have vegetative filter stripes throughout. WSP has performed a stormwater analysis consistent with the York County Conservation District and PADEP requirements. The required calculations have been performed to demonstrate that the runoff from the site will not increase or create accelerated erosion concerns. As they build the property, they must establish 90% meadow coverage underneath the solar arrays before the NPDES permit can be closed out. The panels will run North to South and tilt East to West.

Splash pads will not be used on this project, as they are not fixed-tilt panels. A note will be on the plan and if there are areas that develop erosion, it will need to be addressed within a certain period and the soil/vegetation would have to be reestablished at that drip line. If it continues to erode, a permanent erosion control blanket would then be installed.

For the screening, they are proposing a type three screening which will be located on the outside of the fence line. The screening will be required to have 100% opaqueness within a five-year period. They would like to discuss further whether the berm is needed, as it will reduce the disturbance of land and require less maintenance for the required berms. The panel height at max tilt will be 15 feet. The typical maintenance plan for the property would be mechanical mowing at least two to three times a year. It will be a pollinator habitat, requiring less mowing. This project will also help stabilize the power prices for Pennsylvania and will help with grid stability by adding battery energy storage. It will take about one year to build. Every wetland and stream within this project area will have a fifty-foot buffer. A member of the Planning Commission expressed their disappointment that they are not proposing vegetative filter strips along the creeks. Even though they are not required, it would have been a good environmental riparian buffer. It was noted that there are a few properties that show existing tree lines being used for the screening when many of those are no longer there. These areas will be looked at and screened as required. It was questioned whether the fencing would be chain link fencing. It was noted that it would be a chain link fence that is installed. The right-of-way on Deloris Lamparter's parcel was questioned on whether it still exists. It was noted that the right-of-way is still in existence, but it is for a buried underground collection line only. They have since redesigned their plan with a new road that will be built on Matthew Lamparter's parcel to gain access. The access issues have been resolved.

For the meadow, it was explained that they plan to till the soil, plant the seed, and let it grow. The filter strip is an area where you scarify the soil to a 6" depth. It's where the soil is loosened, and compost is mixed in to promote the growth and then you seed it. The filter strips vary in size and typically follow the natural terrain.

The panels would be delivered to the sites via tractor-trailers and each load would have an estimated 600-700 panels and would be around 150 trucks delivered over a few months, depending on supply. The underdrain on Cardinal will be designed and be on the final plan.



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C.S. Davidson's letter dated April 25th, 2024 was reviewed. It was noted that there are still thirty-six outstanding comments, including administrative comments, outside agency approvals, general clerical items that need to be cleaned up, and technical comments that need to be addressed before a recommendation to the Board of Supervisors can be made. No recommendation was given at this time.

III. Ordinances

None

IV. Public Comment

Lisa Peters, 4490 Nursery Road, stated that she is representing Deloris Lamparter and that she is the one who brought the right-of-way issue to light that was on the original plan submitted. She noted that the problems have been resolved and it was removed from the plan, and she is satisfied with the result. She stated that they did sign a contract for a right-of-way for the buried cable located on Deloris's land. The agreement states that if there are crops on the land at the time they bury the cable the farmer would be reimbursed for those crops. She questioned how the farmer would be reimbursed? It was stated that they would need to review the contract for the details but would comply with the stated contract. Lisa stated that after the cable is buried, the agreement also states that the farmer can continue to farm the land. She stated they do not have any updated contact information for anyone with Enel currently working on this project. David Caprelli with Enel provided his contact information to Lisa. Her other concern was whether a buffer would be planted between Deloris's property and Matthew Lamparter's property. It was noted that they are not required to do so because Deloris's property is a participating parcel in this project.

Gina Myers, 1046 Rohlers Church Road, asked for clarification on several items she had questions about. It was stated that 75-megawatt panels will be used, Enel is the current owner of this project, and there will be two substations, 13 inverters, and one main transformer. There will be 6 fire hydrants installed - 2 on Canal Road and 4 on Cardinal Lane. The existing police station is not part of this project. There is currently no start date at this time. They are still working on getting the plans finalized and are not at the permit application process yet. As for tax revenue, it would bring a few million dollars in over the life of the project. Lastly, she had concerns about animals being trapped in the fencing. It was noted that if the animals can get in, they are more than likely to get out.

Kayla Peters, 5210 Davidsburg Road, asked whether they would be using local contractors for construction. It was stated that local labor would be used as much as possible. She also questioned if there would be permanent markers for the underground utilities. Typically, it is not a requirement. For damaged panels, they are moving forward with recycling the panels as it is



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currently a new process. It was also noted that the fence is around the entire project and will be screened on the outside of the fence. Enel is open to working with the property owners with the required screening.

Mary Hamm, 1501 E. Canal Road, asked who is responsible for removing the panels at the end of the project. The project company would be responsible for removal. If that company is in bankruptcy, then the decommissioning bond would cover the cost of removal.

Bob Snyder, 1745 Temple School Road, asked if the entire participating properties would be fenced in or just where the panels and sub-stations are located. The fence line would be placed 15'-16' from the edge of the panels. They will not be around the entire parcel, just the areas being used.

Darrell Peters, 4490 Nursery Road, questioned details about the transformer. It was stated that the inverters are 1200volts and 34½ caving, with copper windings with oil and water. His concern is the oil in the transformer. He feels it is essential to have a remediation plan before it leaches into the ground. It was explained that a containment area is designed for 110-120% of the oil capacity, similar to a fuel system remediation that would capture the oil before it leaches into the ground.

Deb Carmen, 4581 Nursery Road, a Penn State Master Gardner stated that the proposed meadow grass roots will grow into the clay soil and infiltrate more than the corn and soybean planted in rotation now. She has no objection to what is being proposed to be planted and has given Enel some ideas on what to grow that is native to the area. She doesn't have any concerns about invasive species coming in as it is a reality and will need to be watched and spot-treated if it occurs. It will require a maintenance schedule which is not in place at this time.

Kristine Pike, 5355 Carlisle Road, stated that she and her husband are landowners of this project, and they feel it is an important step in responsible development in our community as it will protect the long-term health of the land and preserve green space and maintain soil qualities for future generations. They have put a lot of thought into their decision to lease the land for a Solar Farm and feel that it will preserve the land without permanently altering the soil for future farming use.

A comment was made regarding the decommissioning of the solar farm and what will happen to solar energy reduction in the future. It was noted that Enel does not currently have a contract, but they do have an interconnection agreement to connect to the electrical grid. It was also explained that solar has not been around as long as the wind industry but what is happening as the wind turbines are getting older, they are being replaced with ones with newer technologies. It is



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possible that in 20-30 years, they could renew the lease and replace the panels before they are decommissioned.

A question was asked about the disposal or recycling of the panels. A copy of Enel's current recycling policy was requested. It was noted that Enel will provide a copy of that policy to the Township. It was also noted that the value of the decommissioning bond should be reviewed every 5 years to ensure that the residents of Dover Township are not in any way responsible.

It was asked if the landowners would have separate decommissioning bonds in place if Enel pulled out of the project before their lease was up. Matthew Lamparter stated that their lease requires Enel to be bonded with the Township. It is the obligation of the developer to obtain the bond in favor of the Township and return the land to its original use as stated in their lease. If for some reason the project needs decommissioned, the public security bond required by the Township would be acted on if needed.

According to the E&S Plan, it shows two areas as laydown areas for staging. It was noted that the staging area is generally centralized at the substation area, but the materials will be shipped directly to the site.

A question was asked if Solar Energy was a necessary energy source for our country to meet our energy demands for the future. It was stated that Solar installations have been the greatest form of energy generation due to their low cost and minimal impact. Currently, there are no new coal plants, or nuclear energy plants being built.

Are energy companies required to provide a certain percentage of renewable energy as part of their offering? It is state-mandated, through The Regional Greenhouse Gas Initiative, which is a reduction of greenhouse gases that requires a certain percentage of reduction.

It was questioned whether the conservation by design 4-step process applies to this project. It applies to properties being developed greater than 15 acres for residential development. There was a calculation for clearing that was completed for the entire site, those calculations will be submitted to the Township.

The buffer strips that are being proposed exceed the expectations of the ordinance currently. It will be a much denser planting than a Level 3 planting that is needed. The planting layout will be repeated every 68'. They currently do not have a planting supplier for the project.

Motion by Harlacher, second by Miller to table the Dover Solar I Preliminary Land Development Plan. All members voted aye; motion carried.



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V. Correspondence

None

VI. Next Meeting

The next Planning Commission meeting will be held at the Municipal Building located at 2480 W. Canal Road on Wednesday, June 5th, 2024, at 7:00 PM

VII. Adjournment

Chairman Hoffman adjourned the meeting at 9:26 PM. **Motion** by Harlacher, seconded by Love. All members voted aye; motion carried.

Respectfully Submitted by,

Tina Wagner
Recording Secretary

DRAFT