**MINUTES**

**FOX CHAPEL PLANNING COMMISSION MEETING HELD JANUARY 21, 2019**

PRESENT: Harrison S. Lauer, Chairman; Nannette Bennett, Wesley W. Posvar, James Royston, Jeffrey Todd, Members; A. Bruce Bowden, Solicitor; Paul R. Bell, Zoning Officer; Dana A. Abate, Borough Secretary.

ABSENT: None.

Mr. Lauer called the meeting to order at 5:05 PM.

The minutes of the October 15, 2018 meeting were approved as submitted.

Conditional Use Approval Application No. 19-02 – 118 South Pasadena Drive

The Borough received a request for Conditional Use approval from William Bain to install a solar panels on his home located at 118 South Pasadena Drive. The Conditional Use review and approval process requires that the Planning Commission recommend acceptance or rejection of the application with or without conditions to Borough Council; Borough Council conducts a public hearing; and Borough Council votes to authorize or deny the Conditional Use, with or without additional safeguards or conditions.

The property is located at 118 South Pasadena Drive and is located in the "D" Residential District. Solar panels are permitted as a Conditional Use in the "D" Residential District, if after review and recommendation of the Planning Commission and a public hearing, Borough Council determines that it has been demonstrated by the applicant by competent evidence that the requirements of Section 400.14(H) (a) thru (i) of the Borough of Fox Chapel Zoning Ordinance have been met.

\_\_\_ Smith, Energy Independent Solutions, and \_\_\_\_\_\_\_\_\_\_\_, property owner, were present to answer questions regarding the application. The answers provided by the Energy Independent Solutions are found in **bold** print below.

Section 400.14(H) Solar Panels.

(1) Definition. A solar photovoltaic panel, or solar hot air or water panel collector device, which relies upon solar radiation as an energy source for the generation of electricity or transfer of stored heat.  **The system to be installed is of the photovoltaic variety which will generate electric power for the Bain residence. It will be grid interactive, connecting to the home’s electrical power system at the service panel, such interconnection being governed by an interconnect agreement with DLC. The design is based upon prevailing industry standards and is governed by the US National Electrical Code (NEC) and subject to the Borough’s electrical inspection requirements and process.**

(2) Repair and replacement of existing solar panels is exempt from this Ordinance provided that there is no expansion in the rooftop area covered by the solar panels. **This is a new installation, and therefore, does not apply.**

(3) Solar panels shall be located in the least visibly obtrusive location where panels would be functional. **South orientation is sought to maximize solar production. The orientation we are looking for to maximize solar production is south. With the way this home sits, the property provides east and west roof orientations which do perform reasonably well, though you would need about 20 more solar modules than you would to produce the equivalent on a south-facing roof. We began the design by filling the rear, west-facing roof with high-efficiency solar, but there was not sufficient space to cover the anticipated electric consumption, particularly with the addition of an electric car. The front, east-facing roof is actually larger than the rear roof as this house is not a symmetrical gable. The low slope (4:12) of this roof means that it will catch the sun throughout the day and it also means the array will be less visible than on a steeper roof. We will install all of the panels parallel to the roof, not tilted, as that wuld have aesthetic and structural implications. The client is willing to install the additional solar necessary to make up for the efficiency losses of the roof. The roof will be replaced prior to the installation, and the client is planning to install a dark single to match the black panels. Overhead and street view images are attached with the application.**

(4) Solar panels and associated equipment shall meet the setback and height requirements for the zoning district in which they are located. **Given that the panels will be roof-mounted following the slope of a portion of the home residing only a few inches above the existing roof surface without overhanging the roof, it will comply with all existing setback requirements.**

(5) Solar panels and associated equipment shall not block required parking. **They will not.**

(6) Nonfunctioning solar panels shall be removed within three months of becoming nonfunctional. **Nonfunctioning panels will be repaired or replaced as quickly as replacement equipment is available and weather permits.**

(7) Solar panels exceeding two (2) square feet in area are not permitted in any front yard, on any face of a building or structure facing a street unless integrated with the ordinary construction of said building or structure, and/or in view of any adjacent street, except roof mounted solar panels as set forth below. **This is not the case with the proposed design.**

(8) Ground-mounted solar panels shall:

(1) Be located in a side or rear yard only.

(2) Not exceed eight (8) feet in height above the ground.

(3) Be fully screened from adjacent properties by fencing or a combination of evergreen and deciduous plantings.

(4) For ground mounted solar panels, all exterior electrical lines must be in conduit and conduit and plumbing lines must be buried.

**This section is not applicable since panels will be roof mounted.**

(9) Roof or wall mounted solar panels:

(a) Permitted roof mounted solar panels shall include integrated solar panels as the surface layer of the roof structure with no additional apparent change in relief or projection (the preferred installation), or separate flush-mounted solar panels attached to the roof surface. **We have already provided notes of compliance regarding the applicable requirements separately, additional information provided below.**

(b) Separate flush-mounted solar panels shall be located on a rear- or side-facing roof, as viewed from any adjacent street, unless such installation is proven to be ineffective or impossible. The removal of potential obstructions such as interceding vegetation shall not be sufficient cause for permitting a front-facing roof installation.  **The proposed array was designed first using the available rear facing roof surfaces which are not visible. Due to the size of the array, other roof surfaces were needed. The SW side was chosen as it offered the next best solar exposure and the shape of the garage roof surface provided an area to optimize the layout and install an aesthetically-pleasing layout. By utilizing this surface, a proposal for a system on the front of the house which would have been visible from many other vantage points was avoided. It is felt the layout meets Borough guidelines as it only utilizes rear- and side-facing roof surfaces.**

(c) Separate flush-mounted solar panels installed on a building or structure with a sloped roof surface shall not project vertically above the peak of the roof to which it is attached, or project vertically more than five (5) feet above a flat roof installation. **The array that attaches to the sloped roofs of the home will not project past the peak of the roofs and will be flush mounted roughly 3” off of each roof while following the slope of the roof.**

(d) For rooftop or wall mounted solar panels, all exterior electrical lines shall be in conduit and painted in a color scheme that matches as closely as reasonably possible the color of the structure and materials adjacent to the conduit (i.e. the conduit on walls should be painted the color of the structure of the wall while conduit on roof should be the color of the roof). **Based on the layout, the conduit will be sealed and, if needed, painted to blend with the existing structure to make them less visible.**

(e) For rooftop or wall mounted solar panels, all exterior plumbing lines must be painted in a color scheme that matches as closely as reasonably possible the color of the structure and materials adjacent to the plumbing lines. **The solar panels will not have any exterior plumbing lines.**

Based upon the Findings of Fact by the Planning Commission (set forth above in **bold font**) that all conditions set forth in the Zoning Ordinance have been met, it was moved by Mr. Royston that Conditional Use Application No. 19-01 be recommended to Council for approval. The motion was duly seconded and passed by unanimous vote.

Springfield PRD

Mr. Lauer noted that the Springfield PRD is before the Planning Commission for Tentative Approval. Mr. Lauer gave an extensive recap of the review process completed thus far for the development and stated that the Planning Commission will consider non-environmental aspects of the Plan. He stated that there are two modification requests that will be considered by the Board. The requests involve reducing the front setbacks from 50’ to 20’ and the request for two curb cuts for three lots having less than the 175’ frontage on Georgian Court. Mr. Lauer stated that the reduction in the front setbacks from 50’ to 20’ will reduce the environmental disturbance, create less impervious surface, allow for a greater buffer between the development and the abutting properties and will permit a planted buffer between the proposed development and existing neighbors. Pertaining to the governor’s driveways, the landscape islands will mitigate any negative effect.

There were residents in attendance who spoke against the development and questioned the definition of a twin home which resulted in a discussion between the Planning Commission, the developers’ representatives and the Borough’s professional and soils engineers. Following discussion, Mr. Lauer asked for a motion to recommend or deny tentative approval of the Springfield PRD.

Following discussion, it was moved by Mrs. Bennett that Tentative Approval for the Springfield PRD be recommended to Borough Council. The motion was duly seconded and passed by unanimous vote.

There being no other business to come before the Board, the meeting was adjourned at 5:57 PM.

DANA A. ABATE

Borough Secretary