

Memorandum

TO: Monroe Township Planning Commission

FROM: Gregory R. Rogalski, PE
Monroe Township Engineer

DATE: May 1, 2024

SUBJECT: Myers Solar – 1369 Creek Road
Conditional Use Application – Principal Solar Energy Systems (PSES)
Engineer’s Reference No. MNTWP 32403

We have completed our review of the Conditional Use Application for Cumberland County PA S3, LLC as prepared by Integrated Consulting, LLC. The following documents were reviewed as part of the submission:

- Conditional Use Application, dated March 25, 2024
- Conditional Use Permit Application Narrative, dated March 2024
- Conditional Use Exhibit, dated March 27, 2024
- Yaskawa Solar Inverter Data Sheets & Noise Level Report
- Adjoining Property List

A. Conditional Use

1. PSES Shall meet all requirements listed for ASES listed in section 460.2, subsections 3 through 10. (§460.3.1.A). **The following sections shall be addressed:**
 - a. The ASES layout, design, installation, and ongoing maintenance shall conform to applicable industry standards (§460.2.1.C).
 - b. ASES installers must certify they are listed as a certified installer on the PA Department of Environmental Protection’s (DEP) approved solar installer list (§460.2.1.D).
 - c. All on-site utility transmission lines, and plumbing shall be placed underground to the extent feasible (§460.2.1.E). **Provide a note on the plan stating that the proposed medium voltage line shall be placed underground.**
 - d. The owner of an ASES shall provide the Township written confirmation that the public utility company to which the ASES will be connected has been informed of the customer’s intent to install a grid connected system and approved of such connection (§460.2.1.F).
 - e. If required, an ASES owner and/or operator must obtain any solar easements necessary to guarantee unobstructed solar access by separate civil agreement(s) with adjacent property owner(s) (§460.2.1.I.3). **Show the area required for unobstructed solar access on the plan. Easement agreements shall be provided to the Township Solicitor if required to maintain unobstructed solar access.**
 - f. Prior to the issuance of a zoning permit, applicants must acknowledge in writing that the issuing of said permit for a solar energy system shall not and does not create in the property owner, its, his, her or their successors and assigns in title or, create in the property itself : (a) the right to remain free of shadows and/or obstructions to solar energy caused by development of adjoining

or other property or the growth of any trees or vegetation on such property; or (b) the right to prohibit the development on or growth of any trees or vegetation on such property (§460.2.1.J).

- g. Ground mounted ASES shall be screened from any adjacent property that is residentially zoned or used for residential purposes. The screen shall consist of plant materials which provide a visual screen. (§460.2.3.D.1).
2. A noise study will be performed and included in the application. The noise study will be performed by an independent noise study expert and paid for by the applicant. Noise from a PSES shall not exceed 50 dBA, as measured at the property line (§460.3.1.C). **The Noise Data Test Report submitted with the application appears to measure the Acoustic Noise Level at 5-feet from the proposed inverter. A noise study shall be performed prior to construction to confirm the noise from the proposed PSES does not exceed 50 dBA at the property line.**
3. The PSES owner and/or operator shall maintain a phone number and identify a person responsible for the public to contact with inquiries and complaints throughout the life of the project and provide this number and name to the Township. The PSES owner and/or operator shall make reasonable efforts to respond to the public's inquiries and complaints (§460.3.1.D).
4. At the time of issuance of the permit for the construction of the PSES, the owner shall provide financial security in the form and amount acceptable to the Township to secure the expense of dismantling and removing said PSES and restoration of the land to its original condition, including forestry plantings of the same type/variety and density as the original (§460.3.1.D.3).
5. PSES shall comply with the Township Subdivision and Land Development requirements and obtain Land Development approval. The installation of PSES shall be in compliance with all applicable permit requirements, codes, and regulations (§460.3.1.F.1).
6. The PSES owner and/or operator shall repair, maintain, and replace the PSES and related solar equipment during the term of the permit in a manner consistent with industry standards as needed to keep the PSES in good repair and operating condition (§460.3.1.F.2). **Provide a note on the plan.**
7. Ground mounted PSES shall be screened from adjoining residential uses or zones according to the standards found in Section 312 of this ordinance (§460.3.1.E). **Provide screening along the adjoining property line to the east of 1375 Creek Road. Additionally, a screening detail shall be provided that meets the requirements of §312 of the Monroe Township Zoning Ordinance.**
8. All ground mounted PSES shall be completely enclosed by a minimum eight (8) foot high fence with a self-locking gate (§460.3.1.F.2). **Revise the Typical Entrance Gate detail to be "self-latching" and the Typical Entrance Gate and Typical Perimeter Security Fence details to be 8-feet tall.**
9. A clearly visible warning sign shall be placed at the base of all pad-mounted transformers and substations and on the fence on the surrounding the PSES informing individuals of potential voltage hazards (§460.3.1.F.2). **Provide the location of the required signage on the plan.**
10. At a minimum, a 25' wide access road must be provided from a state or township roadway into the site (§460.3.1.G.1). **Revise the proposed Typical Gravel Access Road Section detail to match the plan and meet the width required by this section.**
11. At a minimum, a 20' wide cartway shall be provided between the solar arrays to allow access for maintenance vehicles and emergency management vehicles including fire apparatus and emergency vehicles. Cartway width is the distance between the bottom edge of a solar panel to the top edge of the solar panel directly across from it (§460.3.1.G.2). **Revise the Typical Single Axis Tracker Solar System detail to show a minimum of 20-feet between panels. Verify the panel spacing shown on the plan meets**

the minimum 20-foot requirement. Additionally, it is recommended that the proposed gravel access drive be extended to the eastern end of the proposed solar array area to allow emergency vehicle access to the whole array area.

12. Any site plan presented in support of the conditional use pursuant to Section 704.1. shall become an official part of the record for said conditional use. Approval of any conditional use will also bind the use in accordance with the submitted site plan; therefore, should a change in the site plan be required as part of the approval of the use, the applicant shall revise the site plan prior to the issuance of a zoning permit. Any subsequent change to the use on the subject property not reflected on the originally approved site plan, shall require the obtainment of another conditional use approval (§704.4).

B. General

1. The proposed Typical Entrance gate detail appears to be 24-foot wide. Please reconcile to meet the 25-foot minimum access road width requirements.
2. Provide clarification on what the typical line fence post footing includes on the Typical Perimeter Security Fence Detail. **I.e. Concrete footing, compacted subgrade, ect.**
3. A storage container for supplies and maintenance materials is noted in the Narrative. If a storage container is proposed provide the location on the plan.
4. A barbed wire fence is notes in the narrative. If barbed wire is proposed revise the Typical Fence details to include barbed wire.
5. The proposed PSES plan shall at a minimum meet the requirements of the PADEP Chapter 102 Solar Panel Farm FAQ.

cc: Integrated Consulting, LLC
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