Dover Township
Planning Commission Minutes
October 6, 2010

Chairman Wayne Hoffman called the meeting to order at 7:03 p.m. Members present: Monica Love, Bill Hansman, Robert Wright, and alternate Eric Harlacher. Member Anthony Pinto and alternate Amy Brinton were absent with prior notice. Also present: Acting Zoning Officer Maureen App, Solicitor John Baranski, Engineer Terry Myers, Recording Secretary, and one citizen.

I. **Minutes**
   *Motion* by Hansman, second by Love, to approve the minutes of the meeting of September 1, 2010. All members voted aye; motion carried.

II. **Plans**
   None at this time.

III. **Zoning Cases**
   None at this time.

IV. **Other Business**
   Discussion was held on energy-related standards for the Zoning Ordinance. Mr. Hoffman feels that alternative energy comes in many forms and opportunities. Evidently the Township wants to get involved in alternative energy to be able to regulate the use of certain forms of energy in certain zones, to protect the residents from those who would make improper use of these energy forms and energy generation. Certain generation/forms are better suited to some zones than others. In residential zones, homeowner’s associations are the regulating body at the bottom. In general, the Planning Commission members feel that the Township should regulate merely to protect “the guy next door.”

   From the audience, Madelyn Shermeyer asked if solar panels are permitted in the residential zone and if not, why not. Commercial energy-producing panels are not permitted, but accessory panels are allowed. The applicant would need to comply with the requirements in the Accessory Use Section.

   Windmills are not permitted in the residential zone because they can’t meet the height restrictions. In other situations, the height requirement incorporates the fall distance. What if the “propeller” falls off? (It has happened.) Are there inspections? Would the owner be liable for damages in the event of a malfunction?

   The minutes from September 1, 2010, identify the principal uses that need special regulation. In which zones will the uses be permitted by Special Exception? There needs to be a distinction between residential and commercial uses.

   The proposed Section 27-681 (or Section 2-502.1.I) was examined. This heading is Wind, Solar, and Other Alternative Energy Facilities.
The Planning Commission recommended the following actions:
Under 4, Wind Turbines and Wind Energy Systems, Item B, Land Use and Dimensional Requirements:  Move #1 into Section 502, subcategory.
Keep 4B#2.  Remove “occupied” before building.  Discussion was held on what happens if someone builds one too close to his own house and the wind turbine system falls on the house.  Can the Township be liable for “permitting” him to build it too close to the house?  Likely not, Mr. Baranski said.
Remove 4B#3.
Remove 4B#4.
Add 4B#5 to the accessory use requirements.
Remove 4B#6.
Remove 4B#7.
On 4B#8, the minimum clearance between blade and ground should be 15’ (not blade length).
Should windmills be added to the exceptions permitted in the residential zone? No.
Remove 4B#9.
Keep 4B#10.
Keep 4B#11.
Keep 4B#12.
Keep 4B#13.
On 4B#14, remove “To the extent possible” from the first part of the sentence.
Remove 4B#15

Solar Energy Systems
Remove 5B#1.
For 5B#2, “Roof or ground mounted shall comply...” – add underlined section.
5B#3, keep as is.
Remove 5B#4.
Remove 5B#5.
Remove 5B#6.
Keep 5B#7 as is.
On 5B#8, remove “To the extent possible” from the first part of the sentence.
Remove 5B#9.

Hydropower
Remove as an accessory use; remove from definitions section

Geothermal Energy Wells
Remove entire wording from this section.
Wood-Fired Boilers
Discussion was held on permitting these facilities in the residential areas. Usually quite a bit of smoke is associated with these boilers. How to differentiate from a residential area and the residential zone? Ms. Love suggested that there be a 100' setback requirement, which would take care of the residential zone possibility. Go with setback requirements, as opposed to prohibiting the facility in a residential area. Ms. Love has some sample regulations from the state; she'll send the information to Mr. Baranski to help decide the setback distance.

Public Inquiries, Inspections, Plot Plans, Violations and Remedies. Remove this entirely.

Mr. Baranski will make the changes and will outline some specific requirements for bio-diesel plants, etc., for review at the next Planning Commission meeting.

Motion by Love, second by Wright, to adjourn. All members voted aye; motion carried. The meeting adjourned at 8P:28 p.m.

Respectfully submitted,

Julie B. Maher,
Recording Secretary