

**Mt. Joy Township
Planning Commission Organization and Regular Meeting
Tuesday, January 14, 2020**

Meeting Minutes

Present: Kim Birckhead, Chairman; Ken Roberts, Vice-Chairman; Sindy Jennings; Linda Spellman; Shannon Hare, Zoning Officer/Code Enforcement Officer; Susan J. Smith, Solicitor; Sheri Moyer, Secretary; Kenneth Mutzabaugh attending via the phone.

The Mount Joy Township Planning Commission met this date, as publicly advertised, at the Mount Joy Township Building located at 902 Hoffman Home Rd., Gettysburg, PA 17325.

Call to Order: Starting Time: 7:00 pm

Organize:

- Call for Nomination of Temporary Chairman: Ms. Jennings moved, seconded by Ms. Spellman, to nominate Ms. Birckhead as Temporary Chairman. With no further nominations, motion carried unanimously.

Nominations:

- Nomination of Chairman of the Planning Commission: Ms. Jennings moved, seconded by Mr. Roberts, to nominate Ms. Birckhead as Chairman of the Planning Commission. With no further nominations, motion carried unanimously.
- Nomination of Vice-Chairman of the Planning Commission: Ms. Birckhead moved, seconded by Ms. Jennings, to nominate Ms. Spellman as Vice-Chairman of the Planning Commission. With no further nominations, motion carried unanimously.

Vacancy: The Planning Commission acknowledged the Board of Supervisors' appointment of Sindy Jennings and Kenneth Mutzabaugh to the Planning Commission with their terms expiring 12/31/2024.

Adjournment of Organization Meeting: Meeting adjourned at 7:07 p.m.

Regular Meeting Reconvened at 7:07 p.m.

Chairman Comments: None.

Public Comments: None

Approval of Minutes:

- Planning Commission Meeting Minutes from July 9, 2019: Ms. Spellman moved, seconded by Mr. Roberts, to approve the minutes as presented. Motion carried unanimously. Sindy Jennings abstained as she was absent from the meeting.

Preliminary/Final Plans: None

Business:

- Fairview Farms Lots 9 & 10 - Non-Building Waiver: Ms. Jennings moved, seconded by Mr. Roberts, to approve signature of the Fairview Farms Non-Building Waiver by the Planning Commission and Zoning Officer. Motion carried unanimously.
- Conditional Use hearing – Brookview Solar I: Ms. Smith said the township received an application from Brookview Solar for a conditional use in the Baltimore Pike zoning district. She said that the Planning Commission is the body to review and make a recommendation to the Board should they wish to make one. The conditional use application is for a part of the project which is located in the Baltimore Pike district. The other part of the project is located in the Agricultural district, but that is a use permitted by right.

Attorney Frey, attorney for the applicant said that Brookview Solar is a wholly owned subsidiary of NextEra Energy Resources who are represented here today. He gave an overview of the project and the requirements of the conditional use and pointed out the parameters of the project along the Baltimore Pike corridor.

Ms. Hare said the applicant addressed all the requirements. Some needed to be made now and some are in the future.

The following individuals had comments and/or concerns regarding the Brookview Solar Conditional Use application:

- Richard Ogg – 464 Locust Lane
- Carol Newhart – 720 Plunkert Road
- Nick Demas – 71 Miller Road
- Angie McCauslin – 581 Plunkert Road
- Joseph Hofman – 217 Mud College Road
- Larry Combs – 351, 311, and 295 Speelman Klinger Rd
- Dwight Amoss – 4219 Baltimore Pike
- Scott Sanders – 145 Roberts Road
- Mary Green – 1156 Hoffman Home Road
- Glenda Gerrick – 663 Plunkert Road
- Ann Degeorge – 400 Miller Road
- Barbara Steele – 456 Mud College Road
- Todd McCauslin – 581 Plunkert Road
- Mitch Reaver – 150 Plunkert Road
- Justin Martin – 540 Hoffman Home Road
- Lawrence McLaren – 48 Updyke Road

Attorney Nathan Wolf – representing the McCauslin, Newhart, Hunt, Demas, Amoss, Steele and Hofman households. Stating the permitted uses will not exist independently of the Conditional use approval. Requesting the Commission to look at the impacts, scope and scale in the permitted areas the same way to look at the conditional use areas. When talking about a conditional use the standard is if they meet the objective criteria, which if met deems approval, then the burden shifts to the objectors to demonstrate that the impacts are greater than that expected from this type of use. Look at the fact that it is 18 different sites for over 1,000 acres and all the neighborhoods are impacted. His final comment was that the Commission request the Supervisors give them additional time to

make a recommendation or to recommend denial based on the timeline that has been given to you.

Dan Moretz – NextEra Energy Resources regarding the work that needs to be completed. They will have experts at the hearings. He said they are available for one-on-one meetings or group meetings to all residents in the Township and offered his contact information.

Corbin Wood – 3825 Baltimore Pike (Penngate Farm). He understands all the concerns about the project. Their farm is 4th generation and would have liked to have kept farming but financial and economics dictated that they could not do it. He stated the land will be preserved for the time that NextEra is operational then will be put back to its original use. The family feels that was a better decision than selling and having a large warehouse, strip malls, or large housing development. NextEra offered them the opportunity to give back to the community, state, county and schools.

Attorney Frey commented as to the issue of what will happen at the end or if NextEra dissolves who is going to take care of it. There is a requirement in the ordinance that a bond has to be posted to cover the cost of decommissioning the project or if the equipment breaks down. The security is set by the township. The applicant is required to propose an amount for decommissioning. The township engineer reviews the proposed amount considering work and disposal involved. The township sets the amount based on the review and recommendation.

The following individuals presented a power point presentation:

Tom Newhart – 720 Plunkert Road regarding the cultural and history of the township

Phil Hunt – 452 Mud College Road regarding property values

Ms. Spellman moved, seconded by Ms. Jennings the plan should be denied. It's too large a scale. She said she commiserates and sympathizes with those folks who are struggling with the burdens of trying to run small family farms. She also said she is a proponent of renewable energy sources and a firm proponent that the needs of the many outweigh the needs of a few but the character of the Township would be so intensely changed by this large of a project that she feels it would be in the citizens best interest that this use not be permitted in the Baltimore corridor. Motion carried unanimously.

Adjournment: Ms. Birckhead moved, seconded by Ms. Spellman, to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 9:37 p.m.

Respectfully submitted,

Sheri L. Moyer
Secretary