

**BIRMINGHAM TOWNSHIP PLANNING COMMISSION**  
**Minutes of the Meeting of June 8, 2010**

Chairman Nick DiMarino called the regular Birmingham Township Planning Commission meeting to order at 7:30 p.m. in the Township Building with the following members present: Debbie Hineman, Janet DeCaestecker, Doug Marshall, Scott Boorse, Eric Hawkins and Pete Davenport. Scott Towler and Mary Pat McCarthy were absent. Also present were Solicitor Fronefield Crawford and Building Inspector Rich Jensen.

Because there was not a quorum present, there were no May **minutes** to be approved. Minutes of the April 13 meeting were approved with one correction: On page 2, paragraph 2, line 12, remove the words “be happy to.” (Hineman, Marshall, all in favor)

The Chairman announced that, due to an extension, the Boor plan had been removed from the agenda.

With no one in attendance to represent the applicant, the **Arden Forge** Final Land Development was removed from the agenda.

The Chairman said no further PC action was needed on the **Temporary Sign Ordinance**, so there was no further discussion of it.

**On-site Power Generation:** The PC members had received copies of ordinances drafted for West Nantmeal and East Whiteland Townships for comparisons and suggestions. Mr. DiMarino said there were three issues to be examined: Definitions, Solar options, and Wind options. Mr. DiMarino noted that there is an important “Decommissioning” section at the end of the West Nantmeal draft and that Birmingham should include a decommissioning provision. Mr. Crawford said solar arrays generally have a life span of 20 years. Mr. DiMarino said that, since water or geothermal installations present neither a nuisance nor a safety issue, their regulation is less critical. Mentioning several applications he had received, Mr. Jensen asked for PC direction regarding height limits and setbacks. After agreement that the intent is to govern safety and aesthetics, discussion led to consensus on the following:

- Frone will examine the definitions and suggest which ones would be necessary or unnecessary in Birmingham.
  - o Accessory uses shall be differentiated from principal (commercial production) uses.
  - o Small and large systems shall be defined.
  - o There shall be a permit renewal period and an abandonment rule. Applicants must consent to periodic inspections.
  - o There shall be no installations in front yards or facing front yards.
  - o In the Historic District there shall be no installations within the viewshed; Eric Hawkins thought the RPOS had defined the viewshed, but it **must** be defined.
  - o Wires shall be underground.

- **Solar panels**
  - shall exceed neither the height of a pitched roof ridge nor 1 meter above a flat roof.
  - The rules for accessory structures will govern setback for solar panels unless the fall zone is bigger than that.
  - Applications follow the building permit process or, when required, the zoning permit process.
  
- **Wind turbines**
  - The setback shall be at least greater than the fall zone, *i.e.* the height of the rotor, not just the height of the hub. The height of the rotor shall not exceed 35 feet; the height of the hub would by necessity be lower.
  - Some devices may need to be tethered for safety concerns.
  
- **Noise**
  - The noise level means the average level over a 24-hour period, not a single incident. Mr. Jensen will try to obtain the decibel level parameters from the manufacturers of the wind turbines.

With no further business, the meeting was adjourned at 8:58. (Hineman, Hawkins, all in favor)

Respectfully submitted,

Jacquie Roach

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