



## MINUTES

### FOX CHAPEL BOROUGH PLANNING COMMISSION MEETING HELD AUGUST 15, 2022

PRESENT: Harrison S. Lauer, Chairperson; Wesley Posvar, Nanette Bennett, Jeffrey Todd, Members; A. Bruce Bowden, Esq., Borough Solicitor; Dante Moretti, Zoning Administrator; Shawn M. Peterson, Borough Secretary

ALSO

PRESENT: Gary J. Koehler, Borough Manager; Michael Pohl, resident

VIA ZOOM: Two attendees

ABSENT: James Royston, Member

Mr. Lauer called the meeting to order at 5:01 PM

## MINUTES

Mr. Todd moved that the July 18, 2022, meeting minutes be approved. The motion was seconded by Mr. Posvar and passed by a unanimous vote.

## UNFINISHED BUSINESS

### Solar Panel Ordinance Revision Discussion - Continuation

Mr. Lauer started the discussion with a recap of the July 18, 2022, meeting discussion. Borough Council made recommendations to the Planning Commission regarding the proposed revision of the Solar Panel Ordinance, which the Planning Commission discussed at the July meeting. Those three recommendations were:

1. Remove the approval process of applications for front sloped roof panels from conditional use provisions of the Ordinance and make them permitted use. The Code Compliance Officer would review the applications, and they would not come before the Planning Commission.
2. Remove the requirements in the Ordinance that state rooftop panels need to be located on the side or rear slopes instead of front slopes.
3. Planning Commission should review ordinances from other municipalities to see if there are provisions that bear on aesthetics when residents place solar panels on rooftops.

After discussion, the Planning Commission agreed to have Dan Moretti, the Zoning Administrator, research other municipal ordinances to find out how **SOLAR PANEL** was defined and if size and portability of the panels were included. They also agreed to have Mr. Moretti research other municipal ordinances to define **RADIUS** better (i.e., the radius from the building on which the panel is located to an adjoining property or, public right-of-way).

Mr. Bowden would prepare an amended ordinance for Solar Panels with the information received regarding other municipal ordinances.

Mr. Moretti researched ten municipal ordinances and found that they were all similar to the Borough of Fox Chapel's ordinance in that there were no exclusions for small solar panels.

Mr. Lauer and Mr. Posvar recommended two sentences to add to the definition of **SOLAR PANEL** to cover the size and portability of the panels. "*This ordinance does not cover solar panel systems if the combined surface*

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*area of all panels within the system is less than four square feet. Other solar energy systems with total surface area greater than four square feet may be used temporarily during emergency power outage conditions."*

Mr. Bowden suggested "*within the system*" be changed to "*on a particular parcel of land.*" The Planning Commission agreed to change the wording in the motion.

The **SOLAR PANEL, ROOF-MOUNTED** definition currently reads, "*On flat roofs, Solar Panels must be located so as not to be visible from adjoining properties or streets.*" It is recommended that the sentence be rewritten to read as follows, "*On flat roofs, Solar Panels shall not be visible from the public right-of-way or any other adjacent property within 75 feet of the building on which the Solar Panels are located. Such visibility shall be measured at a level of five feet from the ground on such right-of-way or property.*"

Mr. Bowden's draft ordinance incorporates all the changes the Planning Commission has looked at in the past two meetings. The changes include Borough Council recommendations, technical points suggested by Mr. Posvar, and the two definitions with the change of wording from Mr. Bowden.

Following this discussion, Mr. Todd moved to recommend approval of the amended ordinance with the modifications made to the first definition. The recommendation also includes sending the draft ordinance to Allegheny County Planning Department for its recommendations, if any, and advertising the ordinance. The motion was seconded by Mr. Posvar and passed unanimously.

There being no other business to come before Council, the meeting was adjourned at 5:26 PM.

SHAWN MARIE PETERSON  
Borough Secretary