

MINUTES
FOX CHAPEL PLANNING COMMISSION MEETING HELD OCTOBER 17, 2016

PRESENT: Harrison S. Lauer, Chairman; Nanette Bennett, Wesley W. Posvar, James Royston, Jeffrey Todd, Members; Kevin A. Brett, P.E., Borough Engineer; Gary J. Koehler, Borough Manager; Robert John Smith, Zoning Officer; Dana A. Abate, Borough Secretary.

ABSENT: None.

ALSO

PRESENT: Rege & Mary Louise Wessel, 405 Fox Chapel Road; Ian Smith, EIS Solar.

Mr. Lauer called the meeting to order at 5:07 PM.

Mr. Lauer introduced and welcomed new member Wesley Posvar to the Planning Commission.

The minutes of the April 18, 2016 meeting were approved as submitted.

Conditional Use Approval Application No. 16-01

The Borough has received a request for Conditional Use approval from Gordon Handelsman to install solar panels on the roof of the home and detached garage located at 1 Foxwood Drive. The Conditional Use review and approval process requires that the Planning Commission recommends acceptance or rejection of the application with or without conditions to Borough Council; Borough Council conducts a public hearing; and Borough Council votes to authorize or deny the Conditional Use, with or without additional safeguards or conditions.

The property located at 101 Foxwood Drive is located in the "A" Residential District. Solar panels are permitted as a Conditional Use in the "A" Residential District, if after review and recommendation of the Planning Commission and a public hearing, Borough Council determines that it has been demonstrated by the applicant by competent evidence that the requirements of Section 43.8.(a) thru (i) of the Borough of Fox Chapel Zoning Ordinance have been met. Ian Smith, EIS Solar, was present to answer questions regarding the application.

Section 43.8. Solar Panels.

(a) Definition. A solar photovoltaic panel, or solar hot air or water panel collector device, which relies upon solar radiation as an energy source for the generation of electricity or transfer of stored heat. **The proposed system will utilize "solar photovoltaic panels" which use solar radiation to generate electricity.**

(b) Repair and replacement of existing solar panels is exempt from this Ordinance provided that there is no expansion in the rooftop area covered by the solar panels. **This is a new installation of solar panels on a house that contains no other solar panels.**

(c) Solar panels shall be located in the least visibly obtrusive location where panels would be functional. **The solar panels will be located on the back roof section of the home and detached garage. The property is heavily wooded and is not visible from the street.**

(d) Solar panels and associated equipment shall meet the setback and height requirements for the zoning district in which they are located. **The property located at 1 Foxwood Drive is located in the "A" Residential District and the solar panels and equipment will be roof mounted without overhanging the roof and will comply with all existing setback requirements.**

e) Solar panels and associated equipment shall not block required parking. **The solar panels will have no effect on required parking.**

(f) Nonfunctioning solar panels shall be removed within three months of becoming nonfunctional. **The new equipment has a 25-year warranty and the applicant has stated that nonfunctioning panels will be repaired or replaced as quickly as possible.**

(g) Solar panels exceeding two (2) square feet in area are not permitted in any front yard, on any face of a building or structure facing a street unless integrated with the ordinary construction of said building or structure, and/or in view of any adjacent street, except roof mounted solar panels as set forth below. **This section is not applicable.**

(h) Ground-mounted solar panels shall:

- (1) Be located in a side or rear yard only.
- (2) Not exceed eight (8) feet in height above the ground.
- (3) Be fully screened from adjacent properties by fencing or a combination of evergreen and deciduous plantings.
- (4) For ground mounted solar panels, all exterior electrical lines must be in conduit and conduit and plumbing lines must be buried.

This section is not applicable since panels will be roof mounted.

(i) Roof or wall mounted solar panels:

(1) Permitted roof mounted solar panels shall include integrated solar panels as the surface layer of the roof structure with no additional apparent change in relief or projection (the preferred installation), or separate flush-mounted solar panels attached to the roof surface. **These solar panels will be flush mounted attached to the roof surface.**

(2) Separate flush-mounted solar panels shall be located on a rear- or side-facing roof, as viewed from any adjacent street, unless such installation is proven to be ineffective or impossible. The removal of potential obstructions such as interceding vegetation shall not be sufficient cause for permitting a front-facing roof installation. **The solar panels will be located on the back roof section of the home and detached garage. The property is heavily wooded, and the panels will not be visible from the street.**

(3) Separate flush-mounted solar panels installed on a building or structure with a sloped roof surface shall not project vertically above the peak of the roof to which it is attached, or project vertically more than five (5) feet above a flat roof installation. **The solar panels will not project above the peak of the roof.**

(4) For rooftop or wall mounted solar panels, all exterior electrical lines shall be in conduit and painted in a color scheme that matches as closely as reasonably possible the color of the structure and materials adjacent to the conduit (i.e. the conduit on walls should be painted the color of the structure of the wall while conduit on roof should be the color of the roof). **All exterior electrical lines will be in gray colored conduit used by most utility companies. Best efforts will be made to conceal.**

(5) For rooftop or wall mounted solar panels, all exterior plumbing lines must be painted in a color scheme that matches as closely as reasonably possible the color of the structure and materials adjacent to the plumbing lines. **These solar panels will not have any exterior plumbing lines.**

The applicant is not seeking any waivers.

Based upon the Findings of Fact by the Planning Commission (set forth above in **bold font**) that all conditions set forth in the Zoning Ordinance have been met, it was moved by Mr. Todd that Conditional Use Application No. 16-01 be recommended to Council for approval. The motion was duly seconded and passed by unanimous vote.

Fox Chapel/Guyaux Plan of Subdivision

This proposed subdivision is a lot line change between the Borough Building property (Parcel A), Borough-owned property (Parcel B) and property owned by Joseph & Kathleen Guyaux (Parcel C). Preliminary and Final Approval is sought. Approval is recommended conditioned upon the applicant complying with the comments made by the Allegheny County Department of Economic Development.

Rege and Mary Louise Wessel, 405 Fox Chapel Road, were in attendance to review the proposed subdivision plan. Mr. Brett reviewed the plan in detail with the Wessels and the Board noting the current and proposed lot lines and the reasons behind said changes.

Following review, it was moved by Mrs. Bennett that the Fox Chapel/Guyaux Plan of Subdivision be granted Preliminary and Final Approval contingent upon compliance with comments made by Allegheny County Department of Economic Development. The motion was duly seconded and passed by unanimous vote.

Other/MS4

Mr. Brett reported that there are new regulations coming in 2017 regarding Act 167 & MS4 which will require new stormwater ordinances.

There being no other business to come before the Board, the meeting was adjourned at 5:55 P.M.

DANA A. ABATE
Borough Secretary