

**MINUTES
FOX CHAPEL PLANNING COMMISSION MEETING HELD JUNE 19, 2017**

PRESENT: Harrison S. Lauer, Chairman; Wesley W. Posvar, James Royston, Members; Gary J. Koehler, Borough Manager; Paul R. Bell, Zoning Officer; Dana A. Abate, Borough Secretary.

ABSENT: Nanette Bennett, Jeffrey Todd, Members.

ALSO

PRESENT: Melissa Andrews, Christine Steighner, Solar City Corp.

Mr. Lauer called the meeting to order at 5:05 PM.

The minutes of the November 21, 2017 meeting were approved as submitted.

Conditional Use Approval Application No. 17-01

The Borough has received a request for Conditional Use approval from Drew Lessard to install solar panels on the rear-facing roof of the home located at 609 Berkshire 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 609 Berkshire Drive is located in the "C" Residential District. Solar panels are permitted as a Conditional Use in the "C" 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. Melissa Andrews and Christine Steighner, Solar City Corp., were 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 not visible from the street. Ms. Steighner showed pictures of the existing home and the surrounding foliage and indicated that the home is somewhat secluded. She also noted that the adjacent Twin Pine Road sits below the property.**

(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 609 Berkshire is located in the "C" 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. **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. **The 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 not 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, which is sloped.**

(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 concealed in conduit and painted to blend with the existing structure to make them less visible.**

(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. **The 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. Royston that Conditional Use Application No. 17-01 be recommended to Council for approval. The motion was duly seconded and passed by unanimous vote.

Conditional Use Approval Application No. 17-02

The Borough has received a request for Conditional Use approval from Shady Side Academy to install solar panels on the roof of the McIlroy Center for Science and Innovation currently under construction located at 423 Fox Chapel Road. 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 423 Fox Chapel Road is located in the "I/O" Zoning District. Solar panels are permitted as a Conditional Use in the "I/O" Zoning 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. No one 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. **The installation of solar panels is on a new building currently under construction with no existing 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 roof of the building and not visible from the street or neighboring properties.**

(d) Solar panels and associated equipment shall meet the setback and height requirements for the zoning district in which they are located. **The solar panels and equipment will be roof mounted 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. **Nonfunctioning panels will be repaired or replaced within three months of becoming nonfunctional.**

(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. **There is no change in relief or projection visible from any street or adjoining property.**

(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 roof of the building is flat and surrounded by a parapet wall at its perimeter which is 38" above the roof surface at its lowest point. The solar panels and shutoff equipment project a maximum of 20" from the roof surface. No part of the roof or solar panels is visible from any vantage point at grade.**

(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 building roof is flat. The solar panels and shutoff equipment projects a maximum of 20" from the roof surface. The shutoff equipment is on the roof and, because of the parapet wall, is not required to be set back from the edge 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 concealed in conduit and painted to blend with the materials adjacent to the conduit.**

(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. **N/A – no plumbing lines will be installed.**

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. Posvar that Conditional Use Application No. 17-02 be recommended to Council for approval. The motion was duly seconded and passed by unanimous vote.

There being no other business to come before the Board, the meeting was adjourned at 5:50 P.M.

DANA A. ABATE
Borough Secretary