

## **BRIGHTON TOWNSHIP PLANNING COMMISSION**

### **MINUTES OF MAY 3, 2021**

Mr. Snider called the May 3, 2021 meeting of the Brighton Township Planning Commission to order at 7:32 P.M. Due to the COVID-19 Pandemic the meeting was conducted remotely through the Zoom Video Communications remote conferencing application. Public participation was made available through an advertised web link and/or phone number(s) that were posted on the Township web site and posted at the Municipal Building, 1300 Brighton Road, Beaver, PA. Notice of this meeting and participation information was duly advertised in the legal notices of the Beaver County Times. No visitors participated.

PRESENT: William L. Snider, Chairman  
Jeffrey S. Maze, Vice Chairman  
Tim O'Brien  
Mark Piccirilli  
Kimberly Radler  
Matthew Stewart

ABSENT: Karen Green, Secretary

STAFF: Bryan K. Dehart, Township Manager  
Kathryn L. Johnston, Solicitor

**Minutes of April 5, 2021 Regular Meeting:** Ms. Radler made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve the minutes of the April 5, 2021 Regular Meeting.

**Ordinance Reviews:** Solar Energy Systems – Mr. Dehart reviewed the proposed final ordinance to amend the Zoning Code for the regulation of Solar Energy Systems. This ordinance will create a new §195-137.18. Solar Energy Systems. A number of new Definitions applicable to the new section are also added.

The ordinance was amended to incorporate some changes based upon the Commission's April review. The changes incorporated language requiring the system to be maintained in good working order or be subject to Code enforcement. Accessory Solar Energy Systems (ASES) are to be designed to only serve the existing structures to which it is accessory. Design is to be based upon historical need or use. If the design exceeds that threshold by more than twenty percent (20%) it is to be considered a Principal Solar Energy System (PSES). The changes also included language on Solar Easements and further defines what qualifies as impervious coverage.

The ordinance proposal incorporates a change to §195-105. Parking and Lighting by amending the parking requirements for Convenience Stores where the sales of beer, wine or alcohol and food are provided.

Mr. Stewart made a motion, seconded by Ms. Radler, vote unanimous, to recommend that the Board of Supervisors proceed with the adoption steps to amend the Zoning Code to include regulations for Solar Energy Systems and also amending the Parking and Lighting regulations.

Industrial and Development Performance Standards – Mr. Dehart reviewed an ordinance proposal to amend the Noise section of the Industrial and Development Performance Standards. The amendment is to make a distinction between industrial, manufacturing or similar uses from those of a lessor nature. For specified uses 72-hour ambient noise level to the nearest Protected Structure or property line is required, in lieu of a default ambient noise level of 60 dBA. Mr. Dehart said that some of the sample Solar Energy ordinances he reviewed established a minimum dBA of less than 60 at the property line. Rather than write specific noise regulations in the proposed Solar Energy System regulations, amending the existing noise regulations was most logical. §195-137.13.B.(3)(a) establishes the ambient noise level at 40 dBA where the 72-hour test may establish a lower level. Mr. Dehart said that it is necessary to further evaluate this level prior to a final version of the ordinance being presented. That was put in as a placeholder, pending further research and evaluation.

The Commission will review the draft ordinance prior to the next meeting.

Agritourism – Ms. Johnston presented a revised ordinance to amend the Zoning Code for the regulation of Agritourism with a new §195-137.19. The revised proposal includes new definitions for Brewery and Winery were added. She noted that when evaluating other ordinances these terms varied widely, and in some instances several definitions were used to make distinctions based upon the volume of beverages processed or stored on site. The definitions used will be applicable to uses in Brighton Township. The two uses are added to both the C-1 and C-2 Zoning Districts. They will be permitted uses for Agritourism where the use is accessory to the principal use of agriculture and a minimum of 50% of the products needed for the processing are grown on site.

The Solicitor reviewed at length a new §195-137.19.A.(6)(a) Historical Agricultural Building. The added language is based upon Senate Bill No. 191 of 2021. Agricultural buildings are exempted from the Uniform Construction Code (UCC) which was adopted in Pennsylvania in 1999. This section for Historical Agriculture Buildings, defined as being constructed prior to January 1, 1999, that intend to be used for occupancy by the general public, will be required to meet minimum safety requirements for fire, electrical and related matters. New structures intended for occupancy by the general public would be subject to the UCC. Temporary structures are to be removed or taken down with 28-days of the last event or use for which they were erected. The regulations for setbacks, parking, traffic, lighting and related items were reviewed previously by the Commission.

Mr. Stewart made a motion, seconded by Ms. Radler, vote unanimous, to recommend that the Board of Supervisors proceed with the adoption steps to amend the Zoning Code to include regulations for Agritourism.

Comprehensive Plan: A meeting of the Study Committee was conducted last week during which a first review of a draft of the final plan document was conducted. The Commission

members received a copy of the draft and were encouraged to send any comments to the planning consultant. An area of discussion was the preparation of design standards for conventional subdivisions. The PRD process does have a mechanism to apply design standards, but they are not applicable to a conventional subdivision. The preparation of a new recreation plan upon which the recreation impact fee appears to be warranted as well.

**DCED Grant Support Letter:** The Township will be applying for a DCED Greenways, Trails & Recreation Program grant to renovate the Social Hall. The grant application to DCED is for \$250,000 in funding. An application for funding to DCNR has already been filed. The total project cost is approximately \$1.3 million.

Mr. Maze made a motion, seconded by Mr. Piccirilli, vote unanimous, to authorize the Chairman to sign a letter of support for the project application and to state that the project is consistent with the Township Comprehensive Plan and applicable land development codes.

**Additional Business:** There was no additional business.

**Adjournment:** Ms. Radler made a motion, seconded by Mr. O'Brien, vote unanimous, to adjourn the meeting at 8:35 P.M.

Respectfully submitted,

Bryan K. Dehart  
Township Manager