



WESTTOWN TOWNSHIP

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April 11, 2023

VIA EMAIL

Andy Stancati
BSR Solar LLC
9400 Reeds Road, Suite 150
Overland Park, KS 66207

**Re: Westtown School Solar Panel Facility – 975 Westtown Road
Conditional Use Application**

Dear Mr. Stancati:

The Township is in receipt of the Westtown School Solar Panel Facility conditional use application on April 10, 2023. This application calls for construction of a principal solar energy system on a tax parcel, which is a part of the Westtown School property, as permitted by conditional use under Section 170-501.C(3) of the Westtown Township Zoning Ordinance. The proposed solar energy system will encompass 7.78 acres and be primarily located on a parcel identified as 67-5-27.

The purpose of this review is for the Township to determine the overall completeness of the application prior to commencing the conditional use process as outlined under Chapter 170 of the Westtown Township Code. The following items were included in the submission received on April 10, 2023:

1. Conditional Use Application form dated April 6, 2023;
2. Stormwater Management Calculations prepared by Bohler Engineering dated April 3, 2023;
3. Glare Analysis prepared by ForgeSolar created March 1, 2023;
4. Site Visual Analysis Plan (sheets 1A-3) prepared by Bohler Engineering dated April 3, 2023;
5. Conditional Use/Grading Permit Plan (sheets C-101 – C-903) prepared by Bohler Engineering dated April 3, 2023.

The following item was resubmitted by the applicant on April 11, 2023:

6. Glare Analysis prepared by ForgeSolar created March 1, 2023 and updated April 7, 2023.

The property, subject to this application, is located at the corner of E Street Road and Shady Grove Way with E Street Road running along its southern border, Shady Grove Road along the

eastern border, Westtown Road along the western portion, and Oak Lane, which is a private roadway, along the northern boundary. The property consists of 195 acres in the A/C Agricultural/Cluster Zoning District and is improved with several buildings, parking lots, athletic fields, agricultural fields and greenhouses, and farmer's market. The applicant proposes to construct a solar energy system with a concrete pad for appurtenant equipment, gravel paths, 8-foot-high chain link fence with warning signage enclosing the facility, landscaping buffer along Shady Grove Road, and vegetated filter strips for stormwater management purposes. The proposed gravel area and concrete pad for transformer are to be located on another tax parcel of Westtown School identified as 67-2-25 on the northern side of existing parking lot.

Please be advised that the Township has reviewed your application for compliance with Conditional Use submission requirements as per 170-2009 Conditional Uses and 170-1618 Renewable energy systems as applicable. The Township considers your application substantially complete; however, there are certain items to be addressed, which are described in detail below:

1. Proposed improvements shall be labeled on sheet C-301 of the Permit Plan to indicate the solar panel facility, fence, generator pad, and others as applicable.
2. §170-2009.B(4) requires the scale of the Permit Plan to be one inch to 50 feet.

Please let the Township know if this requirement cannot be met.

3. §170-2009.B(7) requires the applicant to include site analysis and the conservation design process (§170-1617).

Although several requirements are included on the submitted Permit Plan, the applicant shall review the outstanding items and address those as appropriate.

4. §170-1618.C(1)(c) requires a principal solar energy system to be set back a minimum of 100 feet from any historic structures as may be designated by the Township or determined to be eligible for listing on the National Register of Historic Places (NRHP) by the Pennsylvania Historical and Museum Commission (PHMC) or the National Park Service (NPS).

There are several Westtown School buildings, specifically along E Street Road and Westtown Road, which have been identified by the Township to be on or eligible for the NRHP. Please indicate these historic structures on the Permit Plan to ensure that the distance requirement is met.

5. §170-1618.C(1)(d) requires the entire facility comprising a principal solar energy system and its appurtenant structures and equipment to be enclosed by a fence, barrier or other appropriate means to prevent or restrict unauthorized persons or vehicles from entering the facility. All mechanical equipment shall be completely enclosed by a minimum eight-foot-high fence with a self-locking gate.

The Permit Plan does not indicate whether the transformer will be enclosed by a fence with a self-locking gate.

6. §170-1618.C(1)(e) requires that an automatic disconnect device to be installed at each cluster.

The automatic disconnect devices are not noted on the Permit Plan.

7. §170-1618.C(1)(f) requires a principal solar energy system not to include the co-location of batteries or other equipment used to store the energy output from the system except where approved by the Board of Supervisors as a condition of conditional use approval upon satisfaction that adequate safety precautions are included in the design of the system.

The applicant shall verify that this requirement is being met.

8. §170-1618.C(1)(g) requires a principal solar energy system to be serviced by an adequate water supply for firefighting purposes.

The applicant shall verify that this requirement is being met.

9. §170-1618.C(4) requires the design and installation of the solar energy system conform to applicable industry standards, such as those of the American National Standards Institute (ANSI), Underwriters Laboratories, the American Society for Testing and Materials (ASTM), or other similar certifying organizations, and comply with the Township Building Code and with all other applicable fire and life safety requirements.

The Permit Plan shall include a statement addressing this requirement.

10. §170-1618.C(5) requires a solar energy system connected to the utility grid shall provide written authorization from the local utility company acknowledging and approving such connection.

The applicant shall verify that this requirement is being met.

11. §170-1618.C(6) requires all power transmission lines from the solar energy system to any building or other structure shall be located underground.

The applicant shall verify that this requirement is being met.

12. §170-1618.C(8) requires that no solar energy system shall contain hazardous substances as defined in the Pennsylvania Hazardous Sites Cleanup Act, 35 P.S. § 6020.101 et seq.

The Permit Plan shall include a statement addressing this requirement.

13. §170-1618.C(9) requires that solar energy systems shall not be artificially lighted except to the extent required for safety or by any applicable federal, state or local authority.

The applicant shall verify that this requirement is being met.

14. §170-1618.C(10) requires that solar energy systems and appurtenant or accessory structures shall not display any advertising, except for reasonable identification of the panel or other equipment manufacturer, and the facility owner.

The applicant shall verify that this requirement is being met.

15. §170-1618.C(12)(b)[1]-[4] requires the applicant or the installer or manufacturer of the solar energy system to submit with the application for conditional use approval signed statements pertaining to glare prevention as described in referenced sections.

The applicant shall include appropriate statements to the Permit Plan.

16. §170-1618.C(14) requires solar access easements to ensure solar access without reliance on adjacent properties.

The proposed transformer is to be located at a different than solar energy system parcel. The applicant shall consult its legal counsel whether solar access easements are warranted and provide that feedback to the Township.

17. §170-1618.C(16)(d) requires the extent of impervious coverage of sloping panels to be measured as equal to their horizontal footprint.

The applicant shall provide detailed calculations on proposed impervious coverage specific to solar panels on the Permit Plan.

18. §170-1618.C(17) states that in consideration of conditional use approval the Board of Supervisors shall be satisfied that the solar installation will not unduly impact other property owners or the traveling public or that potential impacts are mitigated by design of the system or structure(s) upon which it is mounted, by distance from points of visibility, by the presence of intervening topography, vegetation or structures, or will be mitigated through introduction of landscaping.

The applicant shall indicate on the Site Visual Analysis Plan the existing and proposed features, including landscaping buffer.

Please address items as applicable listed above so that your application can be scheduled for a future Planning Commission meeting. To the extent you can add features and/or notes as necessary to the submitted plans, as applicable, to satisfy the requirements for the conservation design process pursuant to §170-1617, you do not need to submit a separate plan sheet if you can identify in a letter and/or on plan notes where the required items can be found. If you have any further questions, please feel free to contact me.

Sincerely,



Liudmila Carter, Director of Planning and Zoning

Cc: Jon Altshul, Township Manager (via email)
Patrick McKenna, Esq., Township Solicitor (via email)
Kate Donnelly, Westtown School (via email)
Louis J. Colagreco, Jr., Esq. (via email)