

November 7, 2023

TO: Venango Township Supervisors

RE: Planning Commission Response to the updated Wilson Solar LLC Maps and Public Hearings

Supervisors, the Venango Township Planning Commission would like to clarify its initial recommendation dated August 15, 2023 (attached). Given the modifications to the Wilson Solar Maps, and the recent information highlighted in the Public Hearings the Planning Commission feels more than enough changes have occurred to modify/clarify our recommendations.

In response to the Wilson Solar LLC conditional use application and the Public Hearings the Venango Township Planning Commission rejects the conditional use application as proposed. The Venango Township Planning Commission's response is below.

Section 104 of the Venango Township Zoning Ordinance states that the purpose of provisions are to implement the Community Development Objectives of Venango Township's Comprehensive Plan, which is known as the Venango Township- Wattsburg Borough Area Comprehensive Plan.

Section 105 of the Venango Township Zoning Ordinance states that the Community Development Objectives of this ordinance are enumerated in detail and generalized in this section. It then goes on to list 12 generalizations. The Planning Commission believes items A, C, D, F, and I, would be negatively affected by the scope of the Wilson Solar Conditional Use Plan.

Section 304 uses not specifically regulated. The Wilson Solar Conditional Use Plan requests the re-zoning of two parcels. In review of Section 304 of the Venango Township Zoning Ordinance the Planning Commission no longer feels that the re-zoning of the parcels for the use of expanding and using the current Residential Zoned parcels for Commercial Solar Farming meets criteria A, B, C, or D of this section. Currently the Planning Commission no longer recommends the re-zoning of the two residential lots.

Section 309.01 states the Conditional Use must demonstrate compliance with all applicable provisions of the Zoning Ordinance including the general requirements of section 1001-02 of this Ordinance. Section 1001 states that the Board of Supervisors or the Zoning Hearing Board may attach reasonable conditions and safeguards, in addition to those expressed in this Ordinance. The Planning Commission does not believe the Zoning Hearing Board has yet to review and reply with such Conditions and Safeguards. Furthermore, Section 1001 lists 10 areas a Conditional Use Plan must comply with to be approved. The Planning Commission believes items A, C, D, and E will not/cannot be meet by the Scope of the Wilson Solar Conditional Use Plan. We will list these items:

- A) **The purposed use shall be consistent with the Venango Township Comprehensive Plan.**
- C) **The proposed use shall not be detrimental to the public health, safety or general welfare.**
- D) **The proposed use shall not detract from the use and enjoyment of adjoining or nearby properties.**

E) The proposed use shall not substantially change the character of the neighborhood in which it would be located.

Section 1002.03 (C) states that Agriculture Related Businesses must have sufficient screening and/or landscaping measures to provide mitigation of any visual and/or audible impacts on adjoining residential uses or Zoning. Given the rolling nature of the hillside throughout the purposed project site, the Planning Commission feels that this provision cannot be met.

Section 1002.35 Public Utility Buildings (F) the use shall emit no obnoxious noise, glare, dust, odor, vibration, electrical, or microwave disturbance, or any other objectionable impact, nuisance or safety hazard beyond the subject property. The Planning Commission believes that given the scope of the project, the encompassing of neighboring residential buildings and the rolling nature of the hillside, Wilson Solar has not demonstrated 35 years of research (the life of the project) to properly address potential disturbance to adjoining parcels.

Section 504.01 A-1 Agricultural District. The purpose of the A-1 Agriculture Zoning District is to permit, protect and encourage the continued use of land for agriculture uses. The intent is to conserve pieces of the land large enough to allow for efficient farm operations and associated enterprises, protecting groundwater resources and providing for the conservation of environmentally sensitive areas. Those areas designated Agricultural Zoning are to be used primarily for agricultural purposes and limited residential, non-residential and accessory uses in general conformance with the current Venango Township Comprehensive Plan. **Given purpose of A-1 above and section 1001 (A) the Planning Commission rejects the current scope of the Wilson Solar Condition Use Plan.**

Section 504-02 R-1 Residential Zoning District is to accommodate low density, residential growth within Venango Township. **Therefore, the Planning Commission no longer feels it is recommended to re-zone the two R-1 parcels.**

Section 702 Buffer and Screening Requirements, **The Planning Commission requests that as a condition to the scope of the project both A-1 and R-1 receive a continuous screen as both zoning districts can have future residential structures.**

Section 706 Performance Standards: The Planning Commission doesn't feel Wilson Solar has produced 35 years of research to prove in the Conditional Use Application that the Venango Township Zoning Performance Standards can be met. Given the relatively new use of the construction materials in combination with the large-scale Solar Farm, 35 years of research does not exist in such a rolling hillside landscape. **Therefore, not knowing the future impact the Planning Commission does not recommend proceeding with the scope of the project and its proximity to adjoining parcels and the Frech Creek watershed.**

In conclusion, after months of meetings and hearings the Venango Township Planning Commission believe the Wilson Solar Conditional Use Application fails to meet the Community Development Objectives of Venango Township's Comprehensive Plan and the Venango Township Zoning Ordinance. Furthermore, there appears to be an overall general opposition by the local citizens to change the character of the community. The project fails to serve the public interest, convenience, and necessity due to the general opposition of the taxpayers.

Respectfully, The Venango Township Planning Commission

August 15th 2023.

In response to the Wilson Solar LLC conditional use application to the Venango Township Planning Commission. The Venango Township Planning Commission rejects the conditional use application as proposed. The Venango Township Planning Commission's response is below.

Wilson Solar LLC condition use application

14. Section 309 criteria and discussion.

Pg 7- (B) Stating that the project will indefinitely increase tax revenue to the township is 100% hypothetical. This is dependent upon the Erie County reassessment office. How do they propose in detail that our tax revenue will increase?

Pg 7- (B) How does the proposed project enhanced community utilities. Will Venango township residents have access directly to the electricity being generated? How can residents of the township reduce their energy costs by this project? Again, this is 100% hypothetical with no direct impact to our residents.

Pg 8- (E) The Planning Commission disagrees converting farmland to solar panels drastically changes the character of the neighborhood.

15. Solar ordinance criteria and discussion.

Pg 9- 1. (a) The Planning Commission will approve the rezoning of the two residential lots to agricultural.

Pg 11- 2. (e) The Venango Township Planning Commission believes that the proposed screening and vegetative requirements do not meet the current solar ordinance Continuous barrier definition (Ordinance pg 4- 2. e. ii) Therefore the Planning Commission rejects the proposal. We believe the definition for continuous barrier would mean the entire perimeter needs a vegetative buffer.

Pg 12- 7. (c) The Planning Commission will only accept a bond of appropriate value determined by the roadmaster.

Pg 12- 8. (a) The Planning Commission could not find the appropriate affidavit of authority for the decommissioning clause, as required by the ordinance. Therefore, not sufficient proof of affidavit results in a rejection. The affidavit on file for the lease does not mention decommissioning.

Pg 12- 8. (d) The Planning Commission will only accept a bond of the appropriate value for future decommissioning of the project to be determined by the Township supervisors.

Respectfully, the Venango Township Planning Commission