SOLEBURY TOWNSHIP BOARD OF SUPERVISORS
July 15, 2025 – 6:00 P.M.
Solebury Township Hall/Virtual - Hybrid Meeting
MEETING MINUTES

Attendance: Mark Baum Baicker, Chair, Hanna Howe, Vice-Chair, Kevin Morrissey, John S. Francis, Christy Cheever, Christopher Garges, Township Manager, Michele Blood, Assistant Township Manager, and Catherine Cataldi, Township Secretary. Annelise Dahlin, Recreation Program Coordinator, Dudley Rice, Parks & Recreation Director, Chief Kelley Warner, Sergeant Marc Mansour, and Mark L. Freed, Township Solicitor were also in attendance.

The recording device was turned on.

I. The meeting was called to order followed by the Pledge of Allegiance.

II. Approval of Bills Payable – June 26, 2025 and July 10, 2025

Res. 2025-102 – Upon a motion by Mr. Morrissey, seconded by Mr. Francis, the list of Bills Payable dated June 26, 2025 and July 10, 2025 were unanimously approved as prepared and posted.

III. Approval of Meeting Minutes – June 17, 2025

Res. 2025-103 – Upon a motion by Mr. Francis, seconded by Ms. Cheever, the Minutes of the June 17, 2025 meeting were unanimously approved and posted.

IV. Announcements / Resignations / Appointments

Executive Session
Mr. Baum Baicker announced that an Executive Session was held July 15, 2025, prior to this meeting, dealing with Property Acquisition and Zoning Matter.

V. Supervisor Comment

- Mr. Baum Baicker announced that the Township was awarded an Alternative Fuels Incentive Grant by the Department of Environmental Protection in the amount of five thousand six hundred twenty five dollars ($5,625) for the Police Electric Vehicle. The Board expressed gratitude to Township Staff, Kate Robeson-Grubb and Annelise Dahlin.

- Mr. Baum Baicker commented on the successful Bike Rodeo held Saturday, July 12, 2025.

- Mr. Garges recognized Township Staff for their adaptability, dedication and teamwork.

VI. Public Hearing

Conditional Use Application – PNCP Corporation (2530 River Road, TMP No. 41-022-061-001) – Continuance to August 19, 2025
The Applicant, PNCP Corporation, proposes a 14.3’ x 10’ kitchen addition, the removal and replacement of the existing garage with a larger garage, a new pool, fencing, landscaping and the burying of currently above ground utilities on the property at 2530 River Road, New Hope, Solebury Township, Bucks County, and identified as Tax Map Parcel 41-022-061-001. Conditional use approval is required for utility

crossings in Riparian Corridor Overlay Districts pursuant to Solebury Township Code of Ordinances §§ 27-2208.5.B.2 & 27-2208.5.D.2.

The hearing was opened, the continuance to August 19, 2025 was announced, and the hearing was closed.

Alternative Energy & Passive Energy Ordinance – Authorization to Adopt

The proposed ordinance provides for the use of alternative energy systems and facilities to promote fossil fuel consumption reduction strategies related to the land development, installation, construction and rehabilitation (including replacement of existing mechanical structures) of residential and non-residential developments in Solebury Township, subject to reasonable conditions to protect the public health, safety, and welfare.

Mr. Freed presented exhibits.

Mr. Francis expressed gratitude to the Bucks County Planning Commission, Solebury Township Planning Commission and Environmental Advisory Council.

Res. 2025-104 – Upon a motion by Ms. Cheever, seconded by Mr. Morrissey, it was unanimously agreed to adopt the Alternative Energy & Passive Energy Ordinance, No. 2025-008.

Lower Mountain Road Limit Through Traffic Ordinance – Authorization to Adopt

The proposed ordinance amends the Solebury Township Code of Ordinances Chapter 15 Section 307 to limit through traffic on Lower Mountain Road.

Mr. Garges offered background on the ordinance, including resident complaints, speed study results and resolution alternatives.

Mr. Freed presented exhibits.

Jon Goldberg, resident, expressed concern for the daily timeframe of the through traffic limitation and questioned enforcement and signage.

Adam Howell, resident, asked for clarification on signage. Mr. Howell expressed concern for an increase of traffic and the timing of the traffic light at the Aquetong Road and State Route 202 intersection. Mr. Howell also inquired about the process for evaluating other roadways within the Township.

Josine Veca, resident, expressed concerns with funneling traffic onto Aquetong Road. Ms. Veca expressed opposition for the restriction and expressed support for speed bumps.

Mr. Roth gave an overview of requirements for different speed deterrents.

Christopher Moore, resident, expressed gratitude for efforts to remediate speeding and safety concerns along Lower Mountain Road. Mr. Moore expressed support for speed humps.

Kimberly Dunn, resident, expressed safety concerns resulting from the volume of traffic, vehicle sizes, and speeding on Lower Mountain Road. Ms. Dunn questioned the daily timeframe of the through traffic limitation and questioned alternatives to be considered after a six month evaluation.

Mr. Roth gave an overview of alternative options and how they work.

Sandi Moses, resident, questioned how the limitation would affect visitors to Aquetong Spring Park and suggested stickers for resident vehicles.

Chief Warner advised that ideally the plan is to reduce speeding.

Mr. Garges advised that the limitation will affect through traffic. Travelers with a destination on Lower Mountain Road, including Aquetong Spring Park, are exempt from the limitation.

Ms. Howe questioned whether there were solutions to the onset of map systems utilizing fastest routes. Mr. Roth advised there were no solutions other than road closures, one way or similar restrictions.

Mr. Moses questioned whether the traffic study noted the percentage of larger vehicles. Mr. Roth advised that the percentage of large vehicles were lower on this stretch of Lower Mountain Road.

Mr. Depp agreed with vehicle stickers and expressed support for Solebury residents having access to all roadways in the Township. Mr. Depp suggested line striping and speedbumps as the first form of deterrents.

Res. 2025-105 – Upon a motion by Mr. Francis, seconded by Ms. Howe, it was unanimously agreed to adopt the Lower Mountain Road Limit Through Traffic Ordinance, No. 2025-009

VII. Old Business

Land Preservation – Doan Property (2200 Aquetong Road, TMP No. 41-022-174) – Resolution for Approval of Acquisition of Conservation Easement

The Board approved the resolution for approval of acquisition of conservation easement on the Doan Property (2200 Aquetong Road, TMP No. 41-022-174) at the April 1, 2025 Board of Supervisors meeting. An updated resolution was needed to reflect Christopher Garges as executer of the settlement agreements on behalf of the Township.

Mr. Morrissey expressed gratitude to the Land Preservation Committee.

William Banks, resident, questioned restrictions imposed on the property as part of the conservation easement. Mr. Banks inquired about policies and procedures for neighboring properties to view proposed conservation easements and expressed concerns regarding agritourism and agritainment.

Res. 2025-106 – Upon a motion by Mr. Morrissey, seconded by Mr. Francis, it was unanimously agreed to approve the Resolution for Approval of Acquisition of Conservation Easement on the Doan Property (2200 Aquetong Road, TMP No. 41-022-174).

Single Waste Hauler Survey Results

An overview of the survey and results were offered. Discussion ensued regarding the next step.

The Board expressed gratitude to the Environmental Advisory Council, Annelise Dahlin and Kate Robeson-Grubb.

Richard Depp, resident, expressed opposition for a single waste hauler within the Township.

Ms. Dahlin, Recreation Program Coordinator, suggested alternative options for research by the Environmental Advisory Council, including community compost and education.

Res. 2025-107 – Upon a motion by Mr. Baum Baicker, seconded by Ms. Cheever, it was unanimously agreed for the Township to not proceed with a single waste hauler.

VIII. New Business

Solebury Green Consultant Proposals – Authorization to Appoint
Ms. Dahlin presented an overview of the five consultant proposals received and offered the recommendation made by the Solebury Green Committee.

Res. 2025-108 – Upon a motion by Mr. Francis, seconded by Mr. Morrissey, it was unanimously agreed to appoint Kimmel Bogrette Architecture as the consultant for the Solebury Green Park Master Plan.

Bid Award – 2026-2028 Mowing and Maintenance
Bids were received and reviewed by Solebury Township.

Res. 2025-109 – Upon a motion by Ms. Howe, seconded by Ms. Cheever, it was unanimously agreed to award the 2026-2028 Mowing and Maintenance bid to the lowest bidder, Effluent Retrieval, conditioned upon compliance with the requirements noted in the bid document.

Bid Award – 2026-2028 Landscaping Maintenance Services
Bids were received and reviewed by Solebury Township.

Res. 2025-110 – Upon a motion by Mr. Baum Baicker, seconded by Ms. Howe, it was unanimously agreed to award the 2026-2028 Maintenance Services bid to the lowest bidder, Bluestone Landscape Design Group, conditioned upon compliance with the requirements noted in the bid document.

Bid Award – Fuel
Bids for fuel have been received by the Bucks County Consortium and reviewed by Solebury Township Administration.

Res. 2025-111 – Upon a motion by Mr. Baum Baicker, seconded by Ms. Cheever, it was unanimously agreed to award the Bid for Premium Unleaded Gasoline and Ultra Low Sulfur Diesel Fuel to Pilot Thomas Logistics.

Excessive and Unnecessary Noise Ordinance Amendment – Authorization to Advertise
The proposed amendment adds the “reasonable person” standard to the Excessive and Unnecessary Noise Ordinance.

Res. 2025-112 – Upon a motion by Mr. Morrissey, seconded by Ms. Howe, it was unanimously agreed to authorize Township Staff to send the Bucks County and Solebury Township Planning Commissions for review and to advertise the Excessive and Unnecessary Noise Ordinance Amendment for adoption at the August 19, 2025 Board of Supervisors meeting.

Authorize Amendment to the Emergency Services Agreement
The proposed amendment to the Emergency Services Agreement includes the usage of a Township facility located at 6970 Phillips Mill Road for an ambulance station.

Mr. Francis expressed concern for a lengthy contract as the master plan for the property is unknown.

Mr. Garges advised that a ten (10) year minimum is needed for Central Bucks Emergency Medical Services (Central Bucks EMS) to recoup expenses for the planned improvements, including exterior

improvements. Mr. Garges announced the time restrictions as Central Bucks EMS' contract with New Hope Eagle Fire has expired.

Ms. Cheever questioned whether the emergency vehicle would impact the traffic of park visitors. Discussion ensued on the size of the emergency vehicle, call volume and location of the property to the park and the school.

Ms. Howe questioned whether an overview of the proposed exterior renovations could be offered and reviewed by the Board of Supervisors.

Discussion ensued on the length of the agreement and the inclusion of a clause that should the Township desire to utilize or demolish the structure prior to the end of the agreement, the Township would work with Central Bucks EMS on a suitable resolution.

Res. 2025-113 – Upon a motion by Mr. Baum Baicker, seconded by Mr. Morrissey, it was unanimously agreed to authorize Township Administration to interface with Central Bucks Emergency Medical Services to attempt to work out details of a facility location at 6970 Phillips Mill Road to be used as an ambulance station. In the course of the negotiations the Township Administration is to relay the concerns expressed by members of the Board of Supervisors.

Permit Department Renovations – Authorization to Release Payment No. 3

Township Consultant, Phillips & Donovan Architects, LLC, has reviewed the payment request no. 3 regarding completed construction items for the Solebury Township Municipal Building alterations in the amount of forty thousand three hundred five dollars and sixty-five cents ($40,305.65)

Res. 2025-114 – Upon a motion by Mr. Baum Baicker, seconded by Mr. Morrissey, it was unanimously agreed to approve the release of payment no. 3, approved by Phillips & Donovan Architects, LLC., for completed construction items by S&S Building Group and S&S Electrical Services, Inc. for the Solebury Township Municipal Building Alterations.

Two-stroke Lawn Machinery Restrictions – Presentation by Eric Allen Representing Environmental Advisory Council

Eric Allen presented a PowerPoint presentation on the *Emissions from Gas Powered Leaf Bowers*. Highlights of the presentation included: Emissions from lawn equipment by county, 2020; Impacts of Lawn Equipment; Ban/Restrictions on Lawn Equipment; Example of Allowable Days and Hours of Use of Landscaping Equipment; and PennEnvironment Toolkit for Gas-Powered Leaf Blower Laws in Pennsylvania.

Discussion ensued on community outreach, education and research on implementing restrictions of two stroke lawn equipment.

The Board expressed support for the Environmental Advisory Council to pursue research on implementing restrictions on two-stroke lawn equipment.

Zoning Hearing Board Application – Carolyn Kroll (29 Solebury Mountain Road, TMP No. 41-043-012) – Authorize Solicitor to Attend

The applicant, Carolyn Kroll, is requesting a variance from Section 27-404-1.B {1) (f) and Section 27-404-1.B (1) {g) to allow for demolition of the existing home and replacement with a new single-family residence with in-ground swimming pool and new septic system on the property located at 29 Solebury Mountain Road, New Hope, Solebury Township, Bucks County and identified as Tax Parcel No. 41-043-012.

Res. 2025-115 – Upon a motion by Mr. Baum Baicker, seconded by Ms. Howe, it was unanimously agreed to authorize the Township Solicitor to attend the Zoning Hearing Board hearing/s for the Carolyn Kroll Zoning Hearing Board application to represent to Board of Supervisor in this matter.

Zoning Hearing Board Application – David Appleton (2640 Aquetong Road, TMP No. 41-022-030-002) – Authorize Solicitor to Attend
This topic was eliminated from the agenda.

IX. Public Comment – There was no public comment.

X. Adjournment

The meeting was adjourned at 8:50 pm.

Respectfully submitted,
Catherine Cataldi, Secretary

ORDINANCE NO. 2025-008

AN ORDINANCE OF SOLEBURY TOWNSHIP, AMENDING THE SOLEBURY TOWNSHIP ZONING ORDINANCE OF 1988, AS AMENDED, TO ADOPT AND INCORPORATE PART 32 ALTERNATIVE ENERGY & PASSIVE ENERGY

WHEREAS, Section 1601 of the Second Class Township Code provides that the Board of Supervisors may adopt Ordinances in which general or specific powers of Solebury Township ("Solebury" or the "Township") may be exercised, and, by the enactment of subsequent Ordinances, the Board of Supervisors may amend, repeal, or revise existing Ordinances (53 P.S. § 66601);

WHEREAS, the proposed amendments are geared toward fulfilling the Township's obligations under Article I, Section 27 of the Pennsylvania Constitution, and of protecting the public health, safety, and welfare of Township citizens; and

WHEREAS, it is in the public interest of the residents of the Township for the Township to address the use of alternative energy and passive energy;

WHEREAS, the proposed amendments have been advertised, considered, and reviewed in accordance with Municipalities Planning Code Section 609 (53 P.S. Section 10609);

NOW THEREFORE, in consideration of the foregoing, be it ENACTED and ORDAINED by the Board of Supervisors of Solebury Township, Bucks County, Pennsylvania, as follows:

I. Chapter 27 of the Solebury Township Ordinances is hereby amended AMENDED as to add Part 32 Alternative Energy & Passive Energy Ordinance, as follows:

Part 32 Alternative Energy & Passive Energy Ordinance

§27-3201. Purpose and Objectives.

1. The purpose of this Chapter is to provide for the use of alternative energy systems and facilities to promote fossil fuel consumption reduction strategies related to the land development, installation, construction and rehabilitation (including replacement of existing mechanical structures) of residential and non-residential developments in Solebury Township, subject to reasonable conditions to protect the public health, safety, and welfare. This Chapter applies to alternative energy systems to be installed and constructed on any property.
2. Solebury Township seeks to promote the inclusion of alternative energy systems as a component of new residential and non-residential development, while regulating the use of potentially intrusive facilities, equipment, and machinery, by providing for additional density and building coverage by reductions in landscaping and off-street parking requirements.
3. Solebury Township seeks to promote sustainable site and building design strategies which maximize opportunities for solar orientation and building energy supply design that includes alternative energy sources.
4. Solebury Township seeks to improve the resiliency of the traditional power delivery grid by allowing for alternative energy sources on an individual lot or in a community-based system to supplement and or provide 100 percent or more of required energy needs.
5. Solebury Township seeks to improve air quality and supports the reduction of greenhouse gas emissions by reducing dependency on energy produced by the consumption of fossil fuels.
6. Solebury Township recognizes that the most effective way to reduce Green House Gas (GHG) emissions is to avoid the use of energy in its entirety. To this end Solebury Township seeks to support and encourage improved insulation and passive house techniques in all building types.

Solebury Township seeks to support the "Ready for 100" initiative.

§27-3202. Definitions.

1. *Alternative Energy.* A renewable source of energy generated from solar, water, wind, geothermal, or other renewable sources, which is capable of providing energy and utility provisions to a permitted use.
2. *Alternative Energy System.* A system capable of converting solar, water, ground source cooling and heating, and/or wind into a viable energy source and utility provisions for a permitted use. Such systems may include solar panels, wind turbines heat pumps and/or geothermal systems.
3. *Applicant.* A person or entity filing an application under this Chapter.
4. *Attached Alternative Energy System.* A system that is physically mounted, attached and/or connected {except utility and energy transfer connections) to a permitted principal, accessory building, or structure in accordance with all pertinent zoning, utility and building code requirements.
5. *Biomass fuels.* Biomass fuels are organic materials produced in a renewable manner. This includes woody fuels such as forestry residue, yard waste, or dedicated biomass crops such as switchgrass.
6. *Boring/Borehole.* A penetration of soil and/or rock that is augured, drilled, cored, bored, washed, driven, dug, jetted, or otherwise constructed which is generally cylindrical in shape and whose diameter is generally smaller than its depth of penetration.
7. *Building Integrated Photovoltaic {BIPV} Systems.* A solar energy system that consists of integrating Solar PV modules into the building envelope, where the solar panels themselves act as a building material (roof shingles) or structural element (i.e., façade).
8. *Clean, Renewable Energy (100%).* 100% clean, renewable energy resources include carbon and pollution-free energy sustainably generated from renewable sources including wind, solar, tidal, and geothermal. Low-impact, small hydro and some forms of small-scale biomass may be considered renewable energy after being evaluated for public health, sustainability and environmental justice implications. Nuclear, natural gas, coal, oil based, or any other forms of carbon-based energy production are not included as clean or renewable sources of energy.
9. *Closed Loop Geothermal System.* A type of geothermal heating and/or cooling system that utilizes a pressurized heat exchanger consisting of pipe, a circulating pump, and a water- source heat pump in which the heat transfer fluid is not exposed to the atmosphere. The heat transfer fluid is potable or beneficial reuse water and may have approved antifreeze added.
10. *Cool Roof* A cool roof is one that has been designed to reflect more sunlight and absorb less heat than a standard roof. Cool roofs can be made of a highly reflective type of paint, a sheet covering, or highly reflective tiles or shingles.
11. *Emerging Energy.* A source of energy generated from a renewable source, other than solar, water, wind, or geothermal sources, which is capable of providing energy and utility provisions that will be reviewed by the Board of Supervisors.

12. *Emerging Energy Facility.* A private facility capable of converting renewable energy sources into a viable energy source and utility provisions for a permitted use.
13. *Facility Owner.* The entity or entities having an interest in the alternative and/or emerging energy facility, including their successors and assigns.
14. *Freestanding Alternative Energy Facility.* A facility that is not physically mounted, attached and/or connected (except utility and energy transfer connections) to a permitted principal building. All such facilities shall be considered a separate or accessory structure that has the ability to convert and convey energy to the principal use in accordance with all pertinent zoning, utility and building code requirements.
15. *Geothermal System.* A system that uses a heat pump to extract heat from the earth in heating mode and/or reject heat into the earth in cooling mode. It is also called a geothermal heat pump system, a ground-coupled heat pump system, an earth-source heat pump system, and a GeoExchange system.
16. *Green Roof* A green roof is a layer of vegetation planted over a waterproofing system that is installed on top of a flat or slightly-sloped roof. Green roofs are also known as vegetative or eco- roofs.
17. *Green Wall.* A green wall is a vertical greening typology, where a vertical built structure is intentionally covered by vegetation. Green walls include a vertically applied growth medium such as soil, substitute substrate, or hydroculture felt, as well as an integrated hydration and fertigation delivery system. Green walls generally fall into one of two categories: soil-less or modular.
    A. *Soil-less* -vegetation growing on a vertical structure, mimicking growing conditions found in nature.
    B. *Mo–ular* - pockets of plants and climbing plants and soil media in prefabricated modules to produce a green wall.
18. *Ground Source Heat Pump.* A geothermal heat pump that uses the earth itself as a heat source and heat sink. It is coupled to the ground by means of a closed-loop heat exchanger installed horizontally or vertically underground.
19. *Landowner.* Any person(s} or entity owning property within (Municipality).
20. *Meteorological Tower.* A structure designed to support the gathering of wind energy resource data, and includes the tower, base plate, anchors, guy cables and hardware, anemometers (wind speed indicators}, wind direction vanes, booms to hold equipment anemometers and vanes, data logger, instrument wiring, and any telemetry devices that are used to monitor or transmit wind speed and wind flow characteristics over a period of time for either instantaneous wind information or to characterize the wind resource at a given location.
21. *Nonparticipating Landowner.* Any landowner except those on whose property all or a portion of an alternative and/or emerging energy facility is located pursuant to the provisions of this Chapter.
22. *Operator.* The entity responsible for the day-to-day operation and maintenance of the alternative and/or emerging energy facility.
23. *Occupied Building.* A building located on a parcel of land utilized as a permitted use in accordance with the provisions of Solebury Township.

24. *Passive House.* A Passive House is a very well insulated, virtually airtight building that is primarily heated by passive solar gains and internal heat gains, and virtually eliminates the need for heating or cooling.
25. *Phase 2 outdoor wood-fired boiler* – an outdoor wood-fired boiler that has been certified or qualified by the EPA as meeting a particulate matter emission limit of 0.32 pounds per million British Thermal Units output and is labeled accordingly. Phase 2 outdoor wood-fired boiler models will be identified with a white hang tag.
26. *Private Energy and Utility Provider.* A principal use owned, operated and/or maintained by a private or independent utility company for the purposes of providing energy within a defined service area or grid system in accordance with the provisions established by the Public Utility Commission and the Public Utility Code.
27. *Small Wind Energy System.* A wind energy system consisting of a wind turbine, tower and associated control or conversion electronics, which has a rated power output of 100 kW or less.
28. *Solar Easements.* Legal agreements that protect access to sunlight on a property.
29. *Solar Energy.* Radiant energy (direct, diffused, or reflected} received from the sun at wavelengths suitable for conversion into thermal, mechanical, chemical, or electrical energy.
30. *Solar Energy System.* An energy system that consists of one or more solar collection devices, solar energy related "balance of system" equipment, and other associated infrastructure with the primary intention of generating electricity, storing electricity, or otherwise converting solar energy to a different form of energy. Solar energy systems may generate energy in excess of the energy requirements of a property if it is to be sold back to a public utility in accordance with the law.
31. *Solar Energy System, Ground-Mounted.* A solar energy system where an array is mounted onto the ground.
32. *Solar Panel:* That part or portion of a solar energy system containing one or more receptive cells or modules, the purpose of which is to convert solar energy for use in space heating or cooling, for water heating and/or for electricity.
33. *Solar Reflective Index.* The solar reflectance index (SRI} is a measure of the constructed surface's ability to reflect solar heat, as shown by a small temperature rise. It is defined so that a standard black surface (reflectance 0.05, emittance 0.90} is O and a standard white surface (reflectance 0.80, emittance 0.90} is 100.
34. *Thermal Mass Wall.* Above grade, exterior building walls that are made of concrete block, concrete, insulated concrete form, masonry cavity, brick, earth, adobe, compressed earth block, rammed earth, and solid timber or logs. The insulation must be at least 50 percent on the exterior or integral to the wall and the wall must exhibit a weight greater than 15 pounds per square foot.
35. *Wind Energy System.* A device or devices, which include a tower structure and associated mechanism(s) and supporting components, which are installed above ground for the purpose of generating mechanical or electrical energy,

and may include, but not be limited to, vertical or horizontal plane, wind driven turbines, helixes, meteorological towers, and windmills. A Wind Energy System may include up to two (2) devices.

36. *Wood-Fired Boiler.* An alternative energy facility designed to burn wood or other organic biomass fuels, which transfers heated air or liquid through a piping or ventilation system to a principal use. All such systems are generally contained within an accessory structure that is not intended for habitation by humans or animals. An outdoor wood-fired boiler may also be known as outdoor wood-fired furnaces, outdoor wood-burning appliances, outdoor hydraulic heaters, and/or hot water stoves.

§27-3203. Applicability.

1. This Chapter shall apply to all alternative and emerging energy systems that are proposed to be constructed or replaced after the effective date of this Chapter.
2. Alternative and/or emerging energy systems constructed or replaced prior to the effective date of this Chapter shall not be required to meet the requirements specified under this Chapter. Any physical modification to an existing, alternative, or emerging energy system that alters the size, type and generating capacities of the system shall require a permit and shall be encouraged to comply with the applicable provisions specified under this Chapter.
3. Alternative and/or emerging energy systems may be utilized as the primary energy source by the principal use of the lot on which it is located. Surplus energy may be exchanged, transferred, and/or sold to a public or private utility company, provided that such surplus energy is exchanged, transferred, and/or sold in accordance with the provisions established by the Public Utility Commission and Public Utility Code, 66 Pa.C.S.A. §101 et seq.
4. Private energy and utility providers, as defined under Subsection 2., shall comply with all provisions established by the Public Utility Commission and the Public Utility Code, 66 Pa.C.S.A. §101 *et seq.*

§27-3204. Land Use and Dimensional Regulations

1. The following provisions shall specifically apply to wind energy systems:
   A. Wind Energy Systems shall be permitted in all zoning districts by conditional use as an accessory use provided that such systems are located on a lot with a permitted use in accordance with the applicable provisions of this Chapter.
   B. Wind Energy Systems shall only be permitted as principal uses in and constructed in the LI (Light Industrial) District, on lots five (5) acres or larger.
   C. Wind Energy Systems shall be located no less than 125 feet (or 1.1 times the height of the device, whichever is greater) from a side or rear property line, no less than 125 feet (or 1.1 times the height of the device,

whichever is greater) from overhead utility lines, no less than 150 feet (or 1.1 times the height of the device, whichever is greater) from a street line and no less than 1.5 times the height of the device, from any occupied building on the lot. In no case, however, shall a wind energy system be located within a front yard as defined in the zoning ordinance or within the minimum required side and/or rear yard. All wind energy systems constructed and installed shall be in the sole opinion of the Township in accordance with the conditional use requirements of the Township.

D. Notwithstanding anything to the contrary contained in the Conditional Use Standards and Criteria in Chapter 27, Part 29 , additional notifications shall be provided per Chapter 1 Part 6 of the Township Code.

E. Wind Energy Systems attached to the roof or walls of an occupied structure are subject to additional scrutiny to ensure that nothing compromises the structural integrity of the existing structure.

F. There shall be a maximum of one (1) ground mounted Wind Energy System as an accessory use on a single parcel of three (3) acres or greater in all districts, except the RA District which shall have a minimum lot size of one and one-half (1 1/2) acres, and shall not exceed that which will produce up to a maximum 100 KW of output, as determined by the public utility providing electric service to Solebury Township.

G. Maximum height of the Ground Mounted Wind Energy System, including all moving and rotating parts, shall be 100 feet, measured from the undisturbed ground elevation at the base of the device, to the highest point of the arc of the blade, helix, or to the top of the tower, whichever is greater, and shall not project 15 feet above the highest point of the roof.

H. Minimum distance between the undisturbed ground at the base of the device and any protruding blade shall be 15 feet, as measured at the lowest point of arc of the blades.

I. The lowest point of arc of the blades should clear the highest wind obstacle (rooftop, mature tree, etc.) within a 500-foot radius by at least 30 feet. The installation of the wind energy system shall utilize deterrents that are commercially reasonable to address such wind obstacles, if they exist, including taking into consideration the flight patterns of birds within the area of the proposed wind energy system.

J. All ground-mounted electrical and control equipment shall be labeled and secured to prevent unauthorized access. The tower shall not provide steps or a ladder readily accessible to the public for a minimum height of 10 feet above the ground surface.

K. When a building is necessary for storage cells or related mechanical equipment, the building shall not exceed 150 square feet in area, shall not exceed 8 feet in height and must not be located in any required front, side, or rear yards.

L. No artificial lighting (unless required by the Federal Aviation Administration), signage, or any forms of advertising shall be utilized or

attached to the wind energy system.

M. Design and location of a Wind Energy System shall consider, to the greatest extent possible, the aesthetics of the surrounding environment. Solebury Township shall require submission of illustrations and photos depicting the color, size, shape, and architectural features of the proposed device; and submission of color photographs of the proposed tower location taken from view of all adjoining property lines and roads. The wind generator and the tower shall remain painted or finished in the color or finish that was originally applied by the manufacturer unless a different color of finish is required by Solebury Township.

N. A site plan, prepared, signed, and sealed by a qualified professional licensed as determine by the Township, shall be submitted, which identifies property lines, lot area, location of existing natural and manmade features, location of the proposed wind energy device, ownership information for adjoining properties, and setback measurements from property lines, street lines, and occupied buildings.

O. All utility lines, including electrical wires other than wires necessary to connect the wind generator to the tower wiring, the tower wiring to the disconnect junction box, and the grounding wires, must be installed underground in accordance with National Electric Code (latest edition) and the prevailing standards of the servicing utility company.

P. Any Wind Energy System that is defective, or has been abandoned, that is deemed to be unsafe by the Township Building Code Official shall be required to be repaired by the Landowner or Operator to meet federal, state, and local safety standards, or be removed by the Landowner or Operator within six months of written notification from Solebury Township. If the Landowner or Operator fails to remove or repair the defective or abandoned wind energy system, within a period of one (1) year from notice, Solebury Township may pursue a legal action to have the system removed at the owner's expense. For purposes of this paragraph, abandoned shall mean that the wind energy system is not in use or has not been operational, for its intended purposes, for a period of at least six (6) months.

Q. A Wind Energy System, including tower, shall comply with all applicable state construction and electrical codes, and the National Electrical Code. Prior to issuance of a building/zoning permit for installation of the device, applicant must submit to Solebury Township all documentation required by the Solebury Township Building Code Official to verify that the design of the device complies with the Pennsylvania Uniform Construction Code (UCC), including, but not limited to, documentation of the structural integrity of the foundation, base, tower, and all appurtenant structures, and electrical design. Design information must be signed and sealed by a licensed professional engineer in the Commonwealth of Pennsylvania, and/or equipment manufacturer.

R. No small Wind Energy System shall be installed until evidence has been

given that the utility company has been informed of the customers intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.

S. The use shall not interfere with the reception of any radio, television, or other communication equipment, nor inhibit solar access to adjacent properties for power and access to sunlight.

T. A clearly visible warning sign concerning voltage must be placed at the base of all pad- mounted transformers and substations.

U. Visible, reflective, colored objects, such as flags, reflectors, or tape shall be placed on the anchor points of guy wires and along guy wires up to a height of 10 feet from the ground.

V. Noise levels shall not exceed those as defined under Chapter 10, Part 2 of the Solebury Township Code as well as noise levels based on manufacturer statements or warranties.

W. All Wind Energy Systems shall be equipped with a redundant braking system. This includes both aerodynamic over speed controls (including variable pitch, tip, and other similar systems) and mechanical brakes. Mechanical brakes shall be operated in a fail-safe mode. Stall regulation shall not be considered a sufficient braking system for over speed protection.

X. All Wind Energy Systems shall primarily serve on-site generation needs unless otherwise approved by Solebury Township. If a hookup to a public or community utility system is proposed, electrical plans must be signed and sealed by a certified electrical engineer, at the applicant's expense, and submitted to the utility company and Solebury Township for approval.

Y. The applicant shall make reasonable efforts to minimize or eliminate shadow flicker at the property line.

Z. A nonparticipating landowner shall not intentionally block, interfere, or disrupt the functional operation from an existing wind energy system. If such action or event should occur, t he matter shall be resolved as a civil dispute between the landowners and Solebury Township shall not be held responsible.

AA. Above-ground alternative and emerging Wind Energy Systems shall be clear-coated, transparent, and/or be designed with a non-obtrusive color such as white, off-white, or other color approved by the Township. All such systems shall not be artificially lighted, except to the extent required by the Federal Aviation Administration or other applicable authority that regulates air safety.

2. The following provisions shall specifically apply to solar energy systems:

A. Solar Energy Systems as described in this Section shall be permitted in all zoning districts as an accessory use to a permitted principal use subject to the standards for accessory uses in the applicable zoning district and the specific criteria set forth in this section.

B. Solar Energy Systems shall only be permitted as principal uses in and constructed in the LI (Light Industrial) District on lots five (5) acres or larger.

C. Notwithstanding the aforementioned, Solebury Township encourages the

installation of solar energy systems in areas that have been previously cleared, brownfields, etc. and discourages clearing of wooded areas, forests and lands for the sole purpose of the installation of solar energy systems.

D. Solar energy systems shall be located on the same lot as the principal use.

E. Power generated by solar energy systems shall not exceed 50 kilowatts of maximum output capacity per principal residential use or 100 kilowatts of maximum output capacity per principal nonresidential use. There shall be no commercial use of the solar energy systems for generation of energy, except for energy purchased by a public utility in accordance with law or other government regulations.

F. All solar energy systems within a historic district or on a historic resource property shall be reviewed by the Historical Architectural Review Board (HARB), for its review, consultation and approval. . Solar energy systems shall be installed in accordance with the guidelines listed below, as set forth by the National Trust for Historic Preservation's guidance in the application of solar panels on historic properties, the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Sustainability and the National Alliance of Preservation Commissions' Sample Guidelines for Solar Systems in Historic Districts. The overall objective of these guidelines is to ensure that all solar energy systems within historic districts or on historic resource properties preserve the character-defining features of the historic districts or historic resource properties while allowing for solar energy systems. Applicant shall consult with Township staff and a member of the HARB throughout the installation process.

    (1) Consider on-site, solar energy systems (solar panels) only after implementing all appropriate treatments to improve energy efficiency of the building, which often have greater life-cycle cost benefit than on-site renewable energy.

    (2) Analyze whether solar energy systems can be used successfully and will benefit a historic building without compromising its character or the character of the site or the surrounding historic district.

    (3) After determining that solar energy systems can be used successfully and will not compromise the character of the historic building or the character of the site or the surrounding historic district, locate solar panels in the order set forth below.

    (4) Locate solar panels on the site of a historic resource.

        (a) If possible, use a ground-mounted solar panel array. Consider solutions that respect the building's historic setting, locating the solar panel arrays in an inconspicuous location, such as behind a rear or side yard, low to the ground and sensitively screened to further limit visibility.

    (5) Locate solar panels on new construction.

(a) In cases where new buildings or new additions to historic buildings are proposed and approvable, encourage the placement of solar panels on the new construction. To achieve overall compatibility with the historic building and its setting, consider solutions that integrate the solar panel system in less visible areas of the new design.

(b) Solar panels should be integrated into the initial design of new construction or infill projects, when possible, to assure cohesion of design within a historic context.

(c) Solar panels should be installed on rear slopes or other locations not highly visible from the public right of way whenever possible. Panels should, if possible, be installed flat and not alter the slope of the roof.

(d) Flat roof structures should have solar panels set back from the roof edge to minimize visibility. Pitch and elevation should be adjusted to reduce visibility from the public right-of-way.

(e) Use solar panels and mounting systems that are compatible in color to established roof materials. Mechanical equipment associated with the solar panel system should be treated to be as unobtrusive as possible.

(f) Use of solar systems in windows or on walls, siding, or shutters should be installed with limited visibility from the public right-of-way.

(6) Locate solar panels on non-historic buildings and additions.

(a) If the site cannot accommodate solar panels, and the project does not include new construction, consider placing solar panels on an existing, non-historic addition or accessory structure, thereby minimizing the impact of the solar installation on the significant features of the historic resource as well as specifically protecting historic fabric against alteration.

(b) Solar panels should be installed on rear slopes or other locations not highly visible from the public right-of-way. Panels should be installed flat and not alter the slope of the roof. Installation of panels must be reversible and not damage the historic integrity of the resource and district.

(c) Flat roof structures should have solar panel installations set back from the roof edge to minimize

visibility. Pitch and elevation should be adjusted to reduce visibility from public right-of-way.

(d) Solar panel installations should be positioned behind existing architectural features such as parapets, dormers, and chimneys to limit their visibility.

(e) Use solar panels and mounting systems that are compatible in color to the property's roof materials. Mechanical equipment associated with the photovoltaic system should be as unobtrusive as possible.

(f) Use of solar systems in non-historic windows or on walls, siding and shutters should be installed as to limit visibility from the public right of way.

(7) Install solar energy systems on a historic building only after other locations have been investigated and deemed infeasible. Place solar panels in areas that minimize their visibility from a public thoroughfare.

(a) The primary façade of a historic building is often the most architecturally distinctive and publicly-visible, and thus the most significant and character-defining. To the greatest extent possible, avoid placing solar panels on street-facing walls or roofs, including those facing side streets. Installations below and behind parapet walls and dormers, or on rear-facing roofs, are often good choices.

(b) Solar panels should be installed on rear slopes or other locations not easily visible from the public right-of-way. Panels should be installed flat and not alter the slope of the roof. Installation of panels must be reversible and not damage the historic integrity of the resource and district.

(c) Flat roof structures should have solar panels set back from the roof edge to minimize visibility. Pitch and elevation should be adjusted to reduce visibility from public right-of-way.

(d) Use solar panels and mounting systems that are compatible in color to established roof materials. Mechanical equipment associated with the solar panel system should be painted or treated to be as unobtrusive as possible.

(e) Use of solar systems in non-historic windows or on walls, siding, or shutters should be installed as to limit visibility from the public right of way.

(8) Avoid installations that would result in the permanent loss of significant, character-defining features of historic resources.

(a) Solar panels should not require alterations to significant or character-defining features of a historic resource, such as altering existing roof lines or dormers. Avoid installations that obstruct views of significant architectural features, such as overlaying windows or decorative detailing, or intruding on views of neighboring historic properties in an historic district.

(9) Avoid solutions that would require or result in the removal or permanent alteration of historic fabric.

(a) Solar panel installations should be reversible. Use of solar roof tiles, laminates, glazing and other technologies that require the removal of historic fabric or would permanently damage such fabric must be avoided. Consider the type and condition of the material upon which installation is proposed as well as the method of installation and removal down the road. For example, metal and slate roofs may be able to accommodate solar panels better than other types of materials. It may also be possible, through the use of brackets, to minimize the points of attachment to a structure.

(10) Require low profiles.

(a) Solar panels should be flush or mounted no higher than a few inches above the roofing surface and should not be visible above the roofline of a primary façade.

(b) Solar panels should be positioned behind existing architectural features such as parapets, dormers, and chimneys to limit their visibility.

(11) On flat roofs, set solar panels back from the edge.

(a) Flat roofs often provide an ideal surface for solar arrays. To minimize visibility, ensure that the panels are set back from the edge and adjust the angle and height of the panels as necessary.

(12) Avoid disjointed and multi-roof solutions.

(a) Panels should be set at angles consistent with the slope of the supporting roof. For example, avoid solutions that would set panels at 70 degree angles when the roof slopes at a 45 degree angle. In addition, panels should be located on a single roof and arranged in a pattern that matches the configuration of the roof upon which they are mounted.

(13) Ensure that solar panels, support structures and conduits blend into the resource.

(a) The visibility of solar panels and support structures can be substantially reduced if the color matches the historic resource and reflectivity is minimized.

H. The height of solar energy systems shall be measured from the average ground elevation to the maximum height of the solar panel(s) or other structural components of the solar energy system, as follows:

(1) Solar energy systems designed and permitted as an attached alternative energy facility are permitted provided that all structural components of the solar energy system do not exceed the allowable building height requirements of the zoning district in which it is located by a maximum of 15 feet.

(2) Solar energy systems designed and permitted as a freestanding, ground-mounted alternative energy facility shall be located in accordance with the applicable building setbacks for the zoning district in which it is to be located, and shall not exceed 20 feet in height. All such solar energy systems shall comply with the building and lot coverage requirements of the zoning district on which it is located. Ground-mounted solar systems and any related appurtenances must be screened and or fenced in accordance with the National Electric Code (latest version).

(3) A solar energy system may exceed the applicable maximum accessory structure height if it will cover an impervious surface parking area. Height may not exceed the height of the primary structure that the parking area serves by more than 20 feet. Minimum height of any parking canopy which is located over access routes to the property or adjoining properties must allow clearance for emergency service and service vehicles.

I. For solar energy systems on non-historic resource properties:

(1) Roof-mounted solar panels shall include integrated solar panels as the surface layer of the roof structure with no apparent change in relief or projection or surface-mounted panels projecting no more than six (6) inches above the plane of the roof.

(2) Only integrated or surface-mounted solar panels shall be installed on the front facing roof as viewed from an adjacent public street, except on corner lots integrated or surface-mounted solar panels shall only be required on one (1) of the front facing facades. Roof-mounted solar panels that project more than six (6) inches above the plane of the roof shall only be permitted on a side- or rear-facing roof. In any case, they shall not project more than three (3) feet above the plane of the roof surface and shall not be higher than the ridge.

J. A site plan, prepared, signed, and sealed by a qualified professional licensed as determined by the Township, shall be submitted, which identifies property lines, lot area, location of existing natural and manmade features, location of the proposed solar energy system, ownership

information for adjoining properties, and setback measurements from property lines, street lines, and occupied buildings.

(1) Pitched Roof Mounted Solar Energy Systems - For all roof-mounted systems other than a flat roof the elevation must show the highest finished slope of the solar collector and the slope of the finished roof surface on which it is mounted.

(2) Flat Roof Mounted Solar Energy Systems - For flat roof applications a drawing shall be submitted showing the distance to the roof edge and any parapets on the building and shall identify the height of the building on the street frontage side, the shortest distance of the system from the street frontage edge of the building, and the highest finished height of the solar collector above the finished surface of the roof.

K. Solar energy systems shall be located, designed, and installed as per the manufacturer's specifications, as well as all zoning, building code, utility requirements, and in accordance with the National Electric Code (latest version adopted in Pennsylvania) and the Pennsylvania Uniform Construction Code.

L. Solar energy systems shall, if possible, be located behind the front facade of the building occupying the permitted use. It is preferable that the ground-mounted solar energy system shall not be permitted in the front yard of the lot on which it is located unless the front yard shall exceed the size of the rear (or side) yard(s) and if the view scape of the front yard is not negatively impacted for both the Landowner and the neighboring properties. The decision as to whether a solar energy system may be installed in any area but behind the front facade of the building occupying the permitted use shall be determined in the reasonable discretion of Solebury Township.

M. Solar Energy Systems shall be oriented such that concentrated solar radiation or glare shall not be directed onto nearby properties or roadways, and shall comply with the Environmental Controls per Part 25, Section 27-2512.N.

O. For purposes of determining compliance with building coverage standards of the applicable zoning district, the total horizontal projection area of all ground-mounted and free-standing solar collectors, including solar photovoltaic cells, panels, arrays, and inverters, shall be considered pervious coverage so long as pervious conditions are maintained underneath the solar photovoltaic cells, panels, and arrays.

P. A nonparticipating landowner shall not intentionally block, interfere, or disrupt the functional operation of an existing solar energy system. Owners of solar energy systems are encouraged but not required to obtain solar access easements from neighboring landowners to ensure solar access. When an applicant owns two or more adjacent lots, and at least one of those lots is proposed to utilize solar energy collection devices, the applicant must establish a solar access easement or a similar legal mechanism to make sure that structures or vegetation on one lot does

not unreasonably obstruct solar access for the solar energy collection devices in the adjacent lot. The municipality does not guarantee and will not protect any individual property rights with respect to solar access. If such action or event should occur, the matter shall be resolved as a civil dispute between the landowners and Solebury Township shall not be held responsible.

Q. A clearly visible warning sign concerning voltage must be placed at the base of all pad- mounted transformers and substations.

R. Solar energy panels erected on a roof must be placed in accordance with all applicable codes and practices related to firefighting and be reviewed by the fire marshal or fire chief having jurisdiction in the municipality.

S. Under no circumstances shall the solar energy system extend beyond the edge of the roof, and shall be setback a minimum of three (3) feet from the edges of roofs and roof ridgelines to ensure firefighters adequate access.

T. Solar Energy Systems shall have a dark finish such as gray, black, brown, or dark green in order to minimize potentially adverse visual impacts.

U. The owner of the solar energy system shall provide written authorization that the public utility company has been informed of the customer's intent to install an interconnected customer-owned generator and also approves of such connection.

V. All on-site utility and transmission lines shall, to the extent feasible, be placed underground.

3. The following provisions shall specifically apply to geothermal energy systems:

A. Solebury Township residents depend on groundwater as a water supply source. Because geothermal systems are constructed in the ground or use groundwater, these systems create a potential for water supply and quality degradation. Therefore, the Board of Supervisors finds that the installation, use, and maintenance of geothermal systems are matters of legitimate concern with respect to public health, safety, and welfare, and that the regulation of installation and maintenance of geothermal systems is warranted.

B. It shall be unlawful to install a new geothermal well or modify an existing geothermal well without a valid permit.

C. Open-loop geothermal systems shall be prohibited. Closed-loop geothermal energy systems as described in this Section shall be permitted in all zoning districts as a by right accessory use, provided that such systems are located on a lot with a permitted use in accordance with the applicable provisions of this Chapter and Section.

D. Closed-loop geothermal energy systems shall be permitted as a principal use in and constructed in the LI (Lighting Industrial) District on lots five (5) acres or larger.

E. A site plan, prepared, signed, and sealed by a qualified professional licensed as determined by the Township, shall be submitted, which identifies property lines, lot area, location of existing natural and manmade features, location of

the proposed geothermal system, bore holes, ownership information for adjoining properties, and setback measurements from property lines, street lines, and occupied buildings.

F. Following the construction of any geothermal energy systems, an as-built site plan, prepared, signed, and sealed by a qualified professional licensed as determined by the Township, shall be submitted, which identifies property lines; lot area; location of existing natural and manmade features; location of the constructed geothermal system; depth of well from land surface; total well depth; casing length, type, material and volume; ownership information for adjoining properties, and setback measurements from property lines, street lines, and occupied buildings.

G. The geothermal system must be installed, maintained, and decommissioned in standards conforming to IGSHPA Closed-Loop/Geothermal Heat Pump Systems Design and Installation Standards, as same may be amended and updated from time to time and as per the manufacturer's specifications, as well as all zoning, building code, and utility requirements.

H. For all closed loop geothermal systems relying upon circulating fluids, only nontoxic, biodegradable circulating fluids such as food grade propylene glycol shall be permitted.

I. All horizontal closed loop systems shall be no more than 15 feet deep.

J. Geothermal systems shall not encroach on public drainage, utility roadway or trail easements of any nature.

K. Unless otherwise specified, geothermal system shall be located a minimum distance of twenty five feet (25) feet from any property line.

L. Above-ground equipment associated with geothermal pumps shall not be installed in the front yard of any lot or the side yard of a corner lot adjacent to a public right-of-way and shall meet all required setbacks for the applicable zoning district.

M. Only a Pennsylvania Department of Environmental Protection licensed well driller, or an IGSHPA-accredited geothermal system installer, shall conduct the drilling of a geothermal well. In all cases, the well drilling rig must also be approved by Pennsylvania Department of Environmental Protection.

N. Geothermal energy systems may be located on a lot with a permitted use provided that all structural components comply with the building setback requirements and lot coverage requirements of the zoning district on which it is located.

O. Minimum isolation (setback) distance. Wells and boreholes regulated by this ordinance are encouraged to be located using the minimum isolation (setback) distances to existing or potential sources of pollution listed in Table 1. For closed-loop geothermal wells and boreholes, which due to infeasibility, cannot conform to the requirements of Table 1 (below), an appeal to the pertinent municipal official may be made detailing the infeasibility and the proposed location. Upon review, the Zoning Officer may reduce the required setback distances.

P. Closed-Loop Geothermal Boreholes shall be located, drilled, and finished in a manner that will protect the borehole structure from damage from surface

activities or other natural occurrences so that the quality of the local groundwater cannot be affected.

Q. The minimum required backfilling material for boreholes is bentonite. Bentonite grout shall be pure, with at least 20 percent solids by weight when mixed with water. Hydration of the bentonite must be delayed until the bentonite has been placed down the well. It is recommended that the vertical boreholes are grouted from the bottom of the well to the top using an appropriate grout with thermal transfer properties. If the borehole penetrates bedrock, it must be grouted from a depth of 15 feet into the bedrock to the top of the borehole.

R. A nonparticipating landowner shall not intentionally block, interfere, or disrupt the functional operation of a geothermal system. If such action or event should occur, the matter shall be resolved as a civil dispute between the landowners and Solebury Township shall not be held responsible.

T. Discontinued Use: If a geothermal system remains nonfunctional or inoperative for a continuous period of one (1) year (or longer timeframe where approved by the Township), the system/well piping should be drained of all heat transfer fluids and all well heads should be temporarily sealed and secured with a locking water-tight cap; unless the well is otherwise abandoned/sealed in accordance with BCDH/Township regulations. It is noted in either case that any heat transfer fluids shall be captured and disposed of in accordance with applicable regulations."

Setback From	**Borehole and Geothermal Supply and Geothermal Return Well (feet)***
Delineated wetlands, flood plains, lakes, ponds, or other surface waters	10-25 feet*
Storm drains, retention basins, stabilization ponds, or stormwater management facilities	at least 10 feet
Preparation area or storage area of hazardous spray materials, fertilizers, chemicals, or salt piles	300 feet 100-150 feet (if borehole is cased and grouted inside and out)
Gravity sewer lines and drains carrying domestic sewage or industrial waste	5-15 feet or according to easement
Existing water and forced sewer buried utilities and/or utility trenches	at least 15 feet or outside easement
Septic tanks, aerobic tanks, or holding tanks	at least 25 feet
Subsurface sewage disposal systems, elevated sand mounds, or other sewage disposal fields	25-50 feet
Sewage seepage pits and cesspools	at least 25 feet
Farm silos, barnyards, privies, and fuel tanks	at least 25 feet
Spray irrigation sites, sewage sludge, and septage disposal sites	at least 25 feet

Dedicated public right-of-way and property lines	at least 10 feet
Building foundations (except for buildings enclosing water wells and/or water well pumps and any other source of pollution as approved)	at least 10 feet
Identified NPL Site (Superfund) plume area	at least 300 feet
Any other source or potential source of pollution	at least 300 feet

Table 1

* Must demonstrate compliance with the Solebury Township Zoning Ordinance, Chapter 27, Part 22

4. The following provisions shall specifically apply to wood-fired boilers:
   A. Wood-fired boilers, as defined under Subsection 2. Definitions., shall be permitted as a conditional use, as an accessory use, in residential districts with a minimum lot area of 2 acres or more as an alternative or emerging energy facility serving any residential use.
   B. In no case shall a wood-fired boiler be permitted closer than 150 feet to any property line.
   C. A site plan, prepared, signed, and sealed by a qualified professional licensed as determined by the Township, shall be submitted, which identifies property lines, lot area, location of existing natural and manmade features, location of the proposed wood- fired boiler, ownership information for adjoining properties, and setback measurements from property lines, street lines, and occupied buildings.
   D. Wood-fired boilers shall be a Phase 2 type, as certified by the United States Environmental Protection Agency (EPA) as meeting a particulate matter emission limit of 0.32 pounds per million British Thermal Units output and is labeled accordingly. Phase 2 outdoor wood-fired boiler models will be identified with a white hang tag.
   E. Wood-fired boilers shall be pre-manufactured self-contained systems with a lockable fuel feed chute and ash door.
   F. Wood-fired boilers shall have a permanently attached smokestack with a minimum stack height of 10 feet above the ground that also extends at least 2 feet above the highest peak of any residence located less than 150 feet from the outdoor wood-fired boiler.
   G. Fuel for wood-fired boilers shall consist of clean wood, wood pellets made from clean wood, biomass woody fuels, wood chips, home heating oil, natural gas, propane, or that which complies with all applicable sulfur limits and is used as a starter or supplemental fuel for dual-fired outdoor wood-fired boilers.
   H. The following fuels are prohibited:
      (1) Any material not listed in Subsection G. above
      (2) Treated or painted wood

(3) Furniture
(4) Garbage
(5) Tires
(6) Plastic
(7) Rubber
(8) Waste petroleum products
(9) Paint or paint thinner
(10) Chemicals
(11) Hazardous waste
(12) Coal
(13) Glossy colored paper
(14) Construction or demolition debris
(15) Plywood
(16) Particle board
(17) Saltwater driftwood
(18) Manure
(19) Animal carcasses
(20) Asphalt products

I. As part of the conditional use application, the Solebury Township Board of Supervisors may attach reasonable conditions and safeguards.

5. The following provisions shall specifically apply to emerging energy systems other than those as described in Sections 27.3204.1., 2., 3., and 4.:

A. Emerging energy systems, other than those specifically defined in this Chapter, shall be permitted as a conditional use, provided that such systems are located on a lot with a permitted use in accordance with the applicable provisions of this Chapter.

B. Emerging energy systems may be located on or attached to an occupied building provided that the structural components of the emerging energy systems do not exceed the permitted building height requirements of the zoning district to which it is located.

C. Emerging energy systems may be located on a lot with a permitted use provided that all structural components comply with the building setback requirements and lot coverage requirements of the zoning district on which it is located.

D. A site plan, prepared, signed, and sealed by a qualified professional licensed as determined by the Township, shall be submitted, which identifies property lines, lot area, location of existing natural and manmade features, location of the proposed emerging energy system, ownership information for adjoining properties, and setback measurements from property lines, street lines, and occupied buildings.

E. Emerging energy systems may be located on a lot provided that it is located, designed, and installed considering the health, safety, and general welfare of the adjacent property owners. As part of the conditional use application, the Solebury Township Board of Supervisors may attach reasonable conditions and safeguards.

F. A clearly visible warning sign concerning voltage must be placed at the

base of all pad- mounted transformers and substations.

6. The following resource protection provisions shall apply to all alternative or renewable energy systems:
   A. The landowner shall provide documentation of the land and airspace on his property, which must remain open to assure adequate solar access, water, and/or wind to the renewable energy system. All such documentation shall be considered as part of the permit application or conditional use application.
   B. As part of the permit application, the landowner shall notify the Zoning Officer that the alternative or renewable resource system has been installed. The landowner shall also provide the Zoning Officer with any other permits that have been obtained from agencies with jurisdiction in order to locate the alternative or renewable energy resource system on the property.
7. The following provisions shall apply to noise, and/or interference involving alternative and/or emerging energy systems:
   A. Audible sound from any alternative and/or emerging energy facility shall not exceed 55 dBA, as measured at the applicant's property line. Solebury Township has the right to inspect, measure, and record sound levels at the applicant's expense.
   B. The applicant shall not disrupt radio, telephone, television, or similar communication signals, and shall mitigate any harm caused by the alternative and/or emerging energy system.

27-3205. Provisions for Encouraging Passive Energy Conservation

1. Site Layout and Design.
   A. Streets: Streets shall be designed so that the buildings in the subdivision or land development shall be oriented with their long axis within 20 degrees of a true east-west orientation. Solebury Township may permit a proportion of the streets to diverge from this requirement if the geography and site demands such. (Also refer to Chapter 22, Part 5 of the Solebury Township Code relating to Design Standards.)
   B. Lot design: The lot design shall provide for lots of adequate width, depth, and shape for solar energy orientation, to provide open area, to eliminate overcrowding, and to be appropriate for the location of the subdivision or land development and for the type of development contemplated. Lots and building setback lines shall be designed so that the buildings in the subdivision or land development can be oriented with their long axes within 20 degrees of a true east-west orientation. In subdivisions or land developments of more than five buildings, a minimum of 80 percent of the proposed buildings must be oriented as required by this paragraph.
   C. LEED for Neighborhood Development (LEED-ND) design and certification shall be encouraged.
2. Building Placement and Design.

A. Buildings shall be placed on an axis within 20 degrees of a true east-west with the longest wall facing southward to benefit from solar energy, natural shading, natural lighting, and thus reduce energy requirements. In subdivisions or land developments of more than five buildings, a minimum of 80 percent of the proposed buildings must be oriented as required by this paragraph. 1. group of connected townhomes is to be considered one building for the purposes of this rule.
B. Buildings shall be placed within the topography such that walkout basements (where used) are positioned so that the exposed or walk out part of the basement is on the southward facing side of the building.
C. Lots shall be laid out to permit buildings to employ renewable energy sources such as closed-loop geothermal energy, wind energy, or solar energy in the mechanical heating and cooling of any building, at the time of construction or in the future.
D. No structure, whether Principal Use or Accessory Use; and no coniferous plant materials, whether trees, shrubs, or other; and no permanently fixed equipment, shall be of such a height that it would cast a shadow during daylight between 9:00 AM and 3:00 PM of the winter solstice (the shortest day of the year) on any solar gathering component of an existing or proposed solar energy system.
E. LEED building design and certification shall be encouraged.

3. Shading.
   A. Buildings shall be built incorporating an overhang, awning, deciduous trees, or other methodology that casts a shadow on all fenestration on the southward exposure of the building during daylight between 9:00 AM and 5:00 PM (daylight savings time) of the summer solstice (the longest day of the year).
4. Landscaping.
   A. All required landscaping, street trees, and buffers shall be provided in accordance with the regulations for the zoning district in which the project is located and in accordance with the subdivision and land development ordinance as applicable.
   B. Prevailing winds are to be identified and landscaping shall be positioned to provide a windbreak for any occupied building.
   C. Street trees shall be placed considering solar access and shading.
   D. Coniferous trees shall be placed on the north side of a structure to provide a windbreak in the winter and deciduous trees may be placed on the south side of structures to provide shading in the summer and solar energy access in the winter. If evergreen trees are placed on the north side of a structure to provide a windbreak, they may count toward required street or shade trees.
   E. All landscape berms shall be encouraged on the north side of any occupied building upon a lot.
   F. At least 80% of the required plants shall be native.
5. Cool/Green Roofs.
   A. The use of green roofs and cool roofs on nonresidential, flat, or slightly sloped, (0-30 degree pitch) roofed buildings, and structures, is

encouraged to supplement measures to reduce energy consumption, reduce heat island effects, and provide other environmental benefits such as a reduction in stormwater runoff.

B. Cool roofs shall have a Solar Reflectance Index of 50 or greater in accordance with the Cool Roof Rating Council and ANSI/CRRC S100 (2016), Standard Test Methods for Determining Radiative Properties of Materials.

C. Green roofs shall include vegetation on at least 50 percent of the roof area of all buildings in the project and shall use only drought-tolerant landscaping. Green roofs shall be installed in accordance with ANSI standards for fire, wind uplift, and root repellency (ANSI/SPRI VF-1, ANSI/SPRI RP-14 and ANSI/SPRI VR-1.) See Section 6. for available bonus provisions.

6. Green Walls/Living Walls.
   A. The use of green walls, interior or exterior, is encouraged to supplement measures to reduce energy consumption, heat island effects and provide other environmental benefits such as improved air quality.
   B. Green walls may be modular or soilless types.
7. Thermal Mass Walls
   A. The use of thermal mass walls is encouraged to supplement measures to reduce energy consumption in combination with renewable energy sources and other passive energy reduction strategies as outlined in this Chapter.
   B. In accordance with the 2018 Pennsylvania Alternative Residential Energy Provisions, as published by the Pennsylvania Housing Research Center, and the Pennsylvania Energy Code, thermal mass walls must have an R value of 8 or an R value of 13, when more than half the insulation is on the interior.

27-3206. Permit and Conditional Use Application Requirements.

1. No alternative or emerging energy facility shall be located, modified, or constructed within Solebury Township unless a permit has been issued to the landowner in accordance with the provisions of this Section.
2. The permit application and conditional use application shall be accompanied with a fee in the amount specified by Solebury Township.
3. The permit application and conditional use application shall demonstrate that the alternative or emerging energy facility will comply with the provisions contained under this Section. The following specific items shall be provided by the applicant:
   A. A complete narrative describing the proposed alternative or emerging energy facility, which shall include: a project overview; the project location; the number of the alternative or emerging energy systems; the area and height of the alternative or emerging energy systems; the initial and potential generating capacities; the facility dimensions; and the manufacturer's specifications.
   B. An affidavit or similar evidence of agreement between the landowner and the facility owner/operator demonstrating that the facility owner/operator has the capabilities and permission of the landowner to apply for necessary permits for construction and operation of the alternative or emerging energy facility.

C. A site plan, prepared, signed, and sealed by a qualified professional licensed as determined by the Township, showing the boundary lines of the property occupied by the alternative or emerging energy facility and the properties within 500 feet on which the proposed alternative or emerging energy facility will be located, when determined necessary by the Zoning Officer. The site plan shall also include: topographical and natural features; the planned location of the alternative or emerging energy systems; the building setback lines; the access road and turnout locations; building and structures; and all public utilities.

D. Other relevant studies, reports, certifications and approvals, and other Municipal Ordinances as may be reasonably requested by Solebury Township to ensure compliance with this Chapter.

4. As part of the permit or conditional use application, Solebury Township may attach conditions and safeguards in order to consider the health, safety, and general welfare of the applicant and the adjacent property owners.

5. The following provisions shall apply to emergency service requirements for an alternative or emerging energy facility:

A. The applicant shall provide a copy of the permit application to the local emergency response providers (police, fire, and ambulance) of Solebury Township, unless Solebury Township notifies the emergency response providers.

B. If required by the Zoning Officer, the applicant, in conjunction with the emergency service providers, shall establish an emergency response plan for the alternative or emerging energy facility.

6. Pursuant to the time limitations specified for a permit application, Solebury Township will determine whether the application is administratively complete and advise the applicant accordingly.

7. Pursuant to the time limitations specified by the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 *et seq.*, and the State-wide Building Code [Chapter 5, Part 11, Solebury Township shall consider the permit or conditional use application. The applicant may be afforded an opportunity to present the project to the designated municipal officials, as well as answer questions about the project.

8. Throughout the permit process, the applicant shall promptly notify Solebury Township of any changes to the information contained in the permit or conditional use application.

27-3207. Supplemental Design, Installation and Maintenance Requirements.

1. The design of the alternative or emerging energy facility shall conform to applicable industry standards, including those of the American National Standards Institute, National Underwriters Laboratories, ASTM, National Electric Code, or other pertinent certifying organization, in addition to the Uniform Construction Code [Chapter 5, Part 1], and/or other pertinent codes adopted by Solebury Township. The manufacturer specifications shall be submitted as part of the permit application.

2. Maintenance: The landowner is responsible for maintaining the system in a safe and operable condition for the life of the system. It shall be the responsibility of the property owner maintain the system in operable condition unless the intent is to decommission the system in accordance with Section 10 of this Chapter.

3. Above-ground alternative and emerging systems shall not display advertising, except for reasonable identification of the manufacturer.

4. On-site transmission, distribution, and power lines between an alternative and an emerging

energy facility and the structure utilizing the energy shall be placed underground.

5. Above-ground alternative and emerging energy systems shall not be combined with other support towers or accessory structural components that are devoted to, or utilized by, public or private utilities.

27-3208. Liability and Insurance Requirements.

1. Unless otherwise required by Solebury Township, the landowner shall maintain a general liability policy covering bodily injury and property damage with a minimal limit of at least $1 million per occurrence and a minimum of $1 million in the aggregate for any above ground, aerial mounted, or wind energy system alternative or emerging energy facility. Certificates shall be made available to Solebury Township upon request.

27-3209. Decommissioning.

1. The landowner or energy facility operator shall, at its expense, complete decommissioning of the alternative or emerging energy facility within 12 months after the end of the useful life of the alternative and emerging system. The alternative or emerging energy system will presume to be at the end of its useful life if no energy Is generated for a continuous period of 12 months.
2. The removal of the above-ground alternative or emerging energy facility components shall be completed within 12 months of decommissioning of the alternative or emerging energy system. All disturbed earth shall be restored, graded, and reseeded.
3. Unless otherwise required by Solebury Township, the landowner shall be responsible for the following financial and inspection provisions as part of the decommissioning efforts:
   A. The landowner or facility operator shall post and maintain decommissioning funds in an amount equal to net decommissioning costs; provided that at no point shall decommissioning funds be less than 25 percent of decommissioning costs. The decommissioning funds shall be posted and maintained with a bonding company or a lending institution approved by Solebury Township and shall be posted at the time of installation.
   B. An independent and certified professional engineer may be retained by Solebury Township to inspect the decommissioning of the alternative and emerging systems. All such inspection fees shall be paid by the applicant or landowner.
   C. Decommissioning funds may be in the form of a performance bond, surety bond, letter of credit, corporate guarantee or other form of financial assurance as may be acceptable by Solebury Township.
   D. Solebury Township may release the decommissioning funds when the landowner or facility operator has satisfactorily demonstrated compliance with the decommissioning plan.
4. If the landowner or facility operator fails to complete decommissioning during the prescribed period of 12 months, Solebury Township may take such measures as necessary to complete decommissioning in accordance with the laws of Solebury Township and the Commonwealth of Pennsylvania.

27-3210.Public Inquiries, Inspections, Violations and Remedies.

1. The landowner and the facility operator shall provide Solebury Township with a telephone number and identify a responsible person for the public to contact with inquiries and complaints throughout the life of the alternative or emerging energy facility.

2. Solebury Township reserves the right to inspect an alternative or emerging energy system, at any time, if the system appears inoperable, or constitutes a danger to life or property. Twenty-four hours' advance notice shall be provided to the landowner except in the case of an emergency. Solebury Township further reserves the right to invoice the landowner for expenses incurred as part of the inspection.
3. It shall be unlawful for any landowner, person, firm, or corporation, to violate, or fail to comply with, or take any action which is contrary to the terms of this Chapter. If Solebury Township determines that a violation has occurred, a notice of violation shall be issued to the landowner and/or facility operator in accordance with the laws specified by Solebury Township and Commonwealth of Pennsylvania.

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27 Attachment 19

Township of Solebury

Table of Use

Regulations

[Ord. 94, 6/8/1988; as amended by Ord. 200, 3/18/2003, § III; by Ord. 208, 10/7/2003, § I.3; by Ord. 2006-3, 2/21/2006, Art. I; by Ord. 2007-6, 9/4/2007, § 09; by Ord. 2017-6, 8/15/2017; by Ord. 2018-004, 3/6/2018; by Ord. 2018-005, 6/19/2018; by Ord. No. 2018-006, 7/17/2018; by Ord. No. 2018-010, 12/11/2018; and by Ord. No. 2019-002, 1/15/2019]

KEY:
P — Permitted Principal Use
PA — Permitted Accessory Use
C — Conditional
CA— Conditional Accessory Use

	Districts															
Uses	**RA**	**RB**	**VR**	**R-1**	**VR-C**	**RD**	**RD-C**	**VC**	**VC-C**	**VC-1**	**RC**	**TNC**	**LI**	**QA**	**OR**	**MS**
Active Recreation															C	P
Adult Commercial													C			
Agricultural	P	P			P				P	P				P	P	P
Alternative Energy Systems																
Geothermal Energy Systems	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	P; PA	PA	PA	PA
Solar Energy Systems	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	P; PA	PA	PA	PA
Wind Energy Systems	CA	CA	CA	CA	CA	CA	CA	CA	CA	CA	CA	CA	P; CA	CA	CA	CA
Wood-fired Boiler	CA	CA	CA	CA	CA	CA	CA									
Athletic Facility												P				
Automobile Repair Facility												C				
Automobile Service Station												C				
Bank								C				P				
Banquet, Catering, or Event Use								P; PA**	P; PA**	CA**	CA**	P; PA**				
Bed-and-Breakfast Inn/Small Short-Term Lodging Facility	CA**	CA**	CA**		CA**			CA**	CA**	CA**		P			CA**	
Cemetery					P									C		
Charitable	C	C	C					C								
Cleaning Plant													P			
Commercial School	C	C	C					C				P				
Community Center						C										

**Supp 6, May 2019;
TCA Updated: 7-25-24;
9-9-24; 1-13-25**

Uses	Districts															
	RA	RB	VR	R-1	VR-C	RD	RD-C	VC	VC-C	VC-1	RC	TNC	LI	QA	OR	MS
Contractors, Office and Yard													P			
Convenience Store												P				
Cultural	C	C	C		C			C	C		P	P				
Day Care Center	C															
Detention Facility													C			
Dog Daycare	C	C										C	C			
Drive-Through Facility												C				
Dwelling																
Age Qualified Detached							P									
Long-Term Residential Health Care						C						C				
Mobile Home Park						P										
Multi-Family						P										
Nonfamily Communit y Residentia						C						C				
Short-Term Residential Health Care						C						C				
Single-Family			C			P	P									
Single-Family	P	P	P	P	P	P	P	P	P	P				P	P	
Single-Family Detached/Tw o Family	C	C														
Single-Family					P	P										

Supp 6, May 2019;
TCA Updated: 7-25-24;
9-9-24; 1-13-25

Uses	Districts															
	RA	RB	VR	R-1	VR-C	RD	RD-C	VC	VC-C	VC-1	RC	TNC	LI	QA	OR	MS
Semi-Attached																
Twin/Duplex			C													
Two-Family	P	P	P		P				C					P	C	
Educational														C	C	
Emergency Service	C	C	C								P	P				P
Environmental															C	
Fabricating													P			
Farm Animal Veterinary Office	C	C										C				
Forestry/Timber Harvesting	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P
Fuel Storage and													C			
Funeral Home												P				
Golf Course	C	C												C	C	
Hotel, Motel, or Inn/Large Short-Term Lodging											C	C				
Home Occupation	PA	PA	PA	PA	PA	C	C		PA							
Home Professional	PA	PA	PA	PA	PA	C	C									
Hospital												P				
Individual Backyard	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA						
Inn											C	C				
Kennel												C				
Library	C	C	C		C			C	C			P				
Manufacturing													P			
Medical Marijuana												C				
Medical marijuana Growing/Processing Facility													C			

Supp 6, May 2019;
TCA Updated: 7-25-24;
9-9-24; 1-13-25

Districts																
Uses	**RA**	**RB**	**VR**	**R-1**	**VR-C**	**RD**	**RD-C**	**VC**	**VC-C**	**VC-1**	**RC**	**TNC**	**LI**	**QA**	**OR**	**MS**
Medical Office/Wellness												P				
Mini-Warehouse													P			
Municipal	P	P	P	P		P		P	P	P		P		P	P	P
No-Impact Home Based Business	PA	PA	PA	PA		PA	PA	PA						PA	PA	
Office								C			P	P				
Office Park													P			
Open Space for	C	C				C	C								P	P
Open Space for	C	C				C	C								P	P
Passive Recreation	C	C				C	C								P	P
Permanent Facilities for Sale of Consumer Fireworks												C				
Planing Mill													P			
Printing													P			
Private Club			C													
Private Recreation	C	C										C		C		
Quarrying														P		
Radio and TV Tower													C			
Recycling and Refuse Facility													C			
Religious	C	C	C		C			C	C		P	C				
Research Laboratory													P			
Restaurant								P	P			P				
Restaurant Drive-In Service												C				
Retail Sales												P				
Retail Winery										P						
Riding Academy	C	C														
School	C	C	C					C				P				C
Shooting Range													C			

Supp 6, May 2019;
TCA Updated: 7-25-24;
9-9-24; 1-13-25

Districts																
Uses	RA	RB	VR	R-1	VR-C	RD	RD-C	VC	VC-C	VC-1	RC	TNC	LI	QA	OR	MS
Shopping Center												C				
Solid Waste Management													C			
Specialty Shopping Center											P					
Tavern								P	P							
Temporary Facilities for sale of Consumer Fireworks												PA*				
Truck Terminal													P			
Utilities													P			P
VC-1 Village Retail									P	P						
VC-1 Village Service									P	P		P				
VC-1 Village Restaurant										C						
Veterinary Office	C	C										C				
Village Office									C							
Village Retail								P	P							
Village-Service								P	P	P		P				
Warehouse													P			
Water Storage Facility												C				P
Wireless Telecommunications Facility, Non-Tower- Based **SUBJECT TO WRITTEN	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Wireless Telecommunications Facility, Tower-												P	P			

NOTES:

* Accessory to commercial uses only

** Accessory to only certain uses, as identified in the relevant provision of the Zoning Ordinance.

Supp 6, May 2019;
TCA Updated: 7-25-24;
9-9-24; 1-13-25

II. Partial Repealer

All other provisions of the Ordinances of Solebury Township, as amended, shall remain in full force and effect. All other Ordinances or provisions of Ordinances inconsistent herewith or in conflict with any of the terms hereof are, to the extent of said inconsistencies or conflicts, hereby specifically repealed.

III. Severability

The provisions of this Ordinance are severable. If any section, clause, sentence, part or provision thereof shall be held illegal, invalid, or unconstitutional by a court of competent jurisdiction, such decision of the court shall not affect or impair any of the remaining sections, clauses, sentences, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Township Board of Supervisors that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional section, clause, sentence or part of a provision had not been included herein.

IV. Effective Date

All provisions of this Ordinance shall be in full force and effect five (5) days after the approval and adoption of this Ordinance.

V. Failure To Enforce Not A Waiver

The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

ORDAINED AND ENACTED this 15th day of July, 2025.

BOARD OF SUPERVISORS OF SOLEBURY TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA

Mark Baum Baicker, Chair

Hanna Howe, Vice Chair

Christy Cheever, Member

John Francis, Member

Kevin Morrissey, Member

Attest:

Catherine Cataldi, Township Secretary

ORDINANCE NO. 2025-009

AN ORDINANCE OF THE TOWNSHIP OF SOLEBURY, BUCKS COUNTY, PENNSYLVANIA AMENDING THE SOLEBURY TOWNSHIP CODE OF ORDINANCES CHAPTER 15 SECTION 307 TO LIMIT THROUGH TRAFFIC CORRECT ON LOWER MOUNTAIN ROAD

WHEREAS, Section 1527 (53 P.S. § 66527) of the Pennsylvania Second Class Township Code provides that the corporate powers of the Board of Supervisors of Solebury Township (the "Board of Supervisors") include the ability to secure the safety of persons or property within the Township;

WHEREAS, Section 6124 (75 Pa. C.S. § 6124) of the Pennsylvania Vehicle Code provides that local authorities on intersections of highways under their jurisdiction may erect and maintain stop signs, yield signs or other official traffic-control devices to designate through highways or to designate intersections at which vehicular traffic on one or more of the roadways should yield or stop and yield before entering the intersection;

WHEREAS, Section 1601 of the Second Class Township Code provides that the Board of Supervisors may adopt Ordinances in which general or specific powers of the Township may be exercised, and, by the enactment of subsequent Ordinances, the Board of Supervisors may amend, repeal, or revise existing Ordinances (53 P.S. § 66601);

WHEREAS, the proposed amendments have been advertised, considered, and reviewed in accordance with Pennsylvania law;

NOW THEREFORE, in consideration of the foregoing, be it **ENACTED** and **ORDAINED** by the Board of Supervisors of Solebury Township, Bucks County, Pennsylvania, that Chapter 15 of the Solebury Township Code of Ordinances is **AMENDED** as follows:

I. AMEND Section 15-307 as follows:

A. ADD the following references to **Section 15-307.1** under "Stop Street," "Time period," and "Restriction," respectively:

Lower Mountain Road Between Route 202 and Aquetong Road	7:00 a.m. to 5:00 p.m. daily	No Through Traffic

II. Partial Repealer

All other provisions of the Ordinances of Solebury Township, as amended, shall remain in full force and effect. All other Ordinances or provisions of the Ordinance inconsistent herewith or in conflict with any of the terms hereof are, to the extent of said inconsistencies or conflicts, hereby specifically repealed.

III. Severability

The provisions of this Ordinance are severable. If any section, clause, sentence, part or provision thereof shall be held illegal, invalid, or unconstitutional by a court of competent jurisdiction, such decision of the court shall not affect or impair any of the remaining sections, clauses, sentences, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Township Board of Supervisors that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional section, clause, sentence or part of a provision had not been included herein.

IV. Effective Date

All provisions of this Ordinance shall be in full force and effect five (5) days after the approval and adoption.

ORDAINED AND ENACTED this 15th day of July, 2025.

BOARD OF SUPERVISORS OF SOLEBURY TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA

Mark Baum Baicker, Chair

Hanna Howe, Vice Chair

Christy Cheever, Member

John S. Francis, Member

Kevin Morrissey, Member

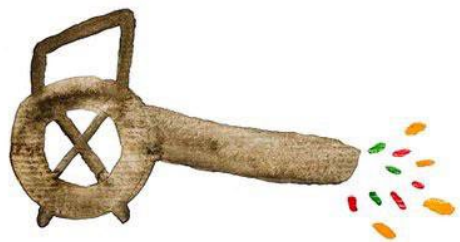
Attest:

Catherine Cataldi, Township Secretary

EMISSIONS FROM GAS POWERED LEAF BLOWERS

SWITCHING TO ELECTRIC LEAF BLOWERS REDUCES
HARMFUL IMPACTS FROM EMISSIONS AND NOISE POLLUTION
ON COMMUNITIES AND THE LANDSCAPING WORKFORCE

USING A LEAF BLOWER
FOR 30 MINUTES



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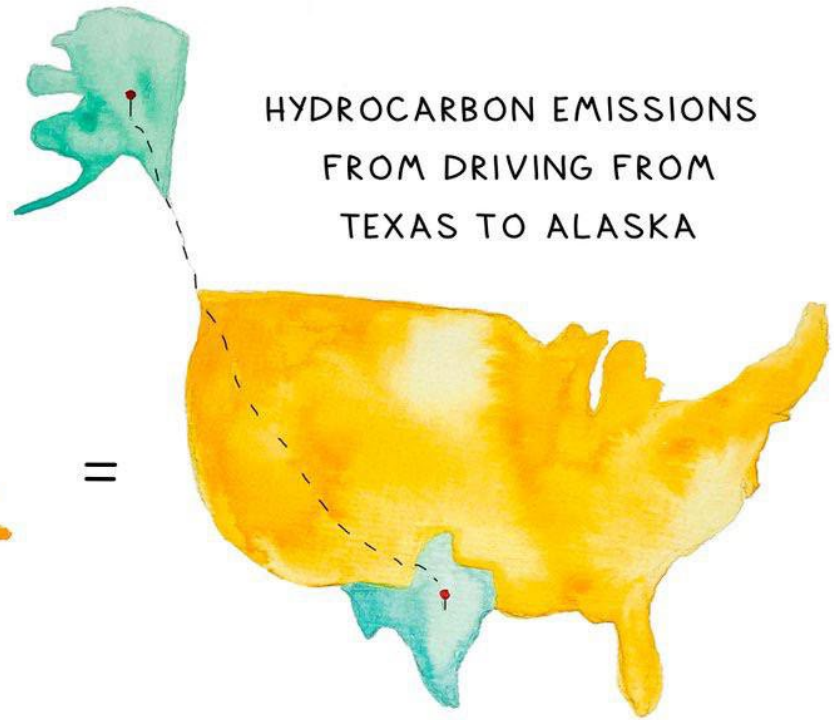


HYDROCARBON EMISSIONS
FROM DRIVING FROM
TEXAS TO ALASKA

BASED ON A TWO-STROKE LEAF BLOWER AND A PICKUP TRUCK

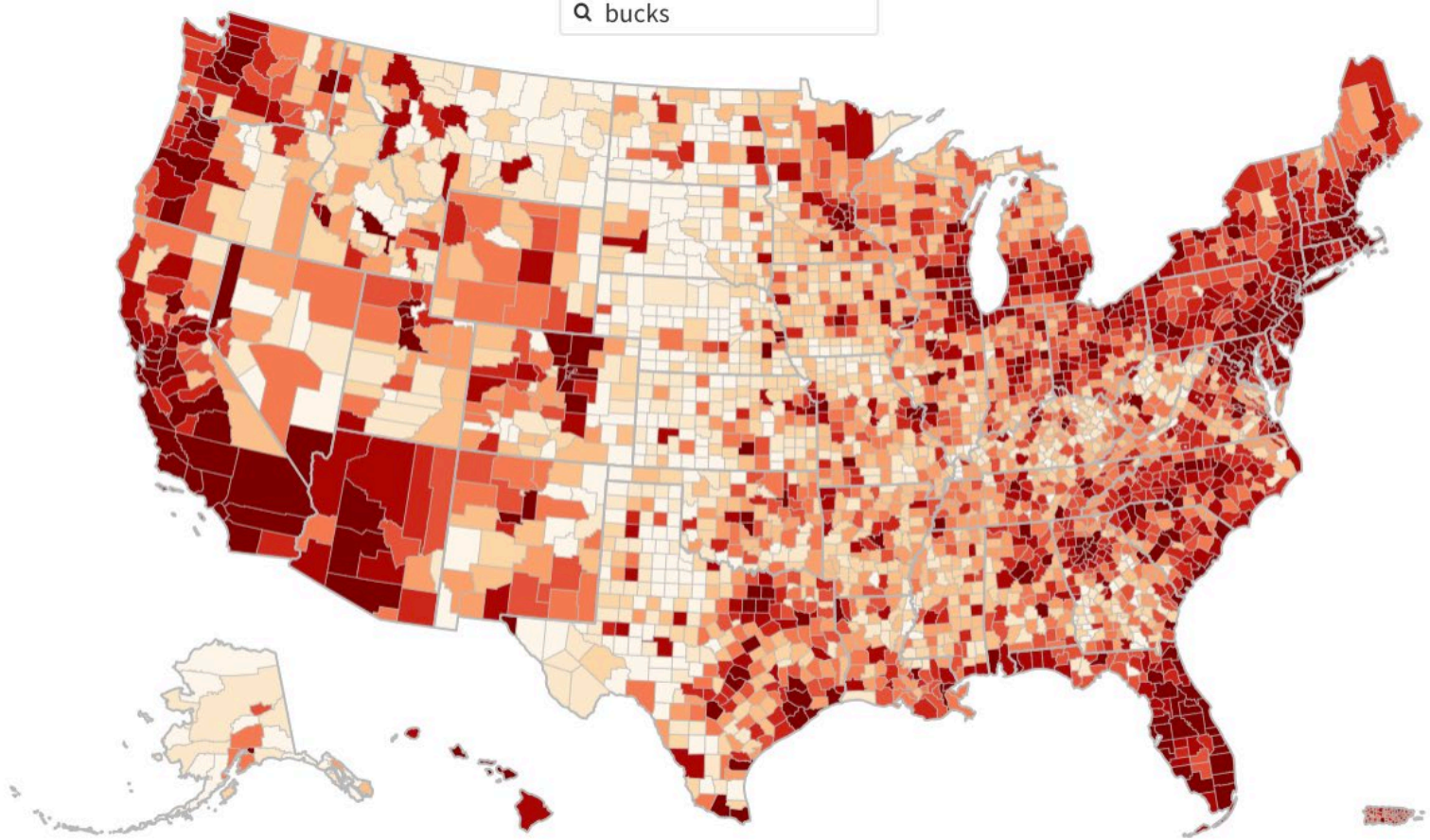
NICOLE KELNER

Emissions from lawn equipment by county, 2020

CO2 (tons) | NOx (tons) | Fine particulates (PM 2.5, tons)

5.8 — 675,789.89

bucks

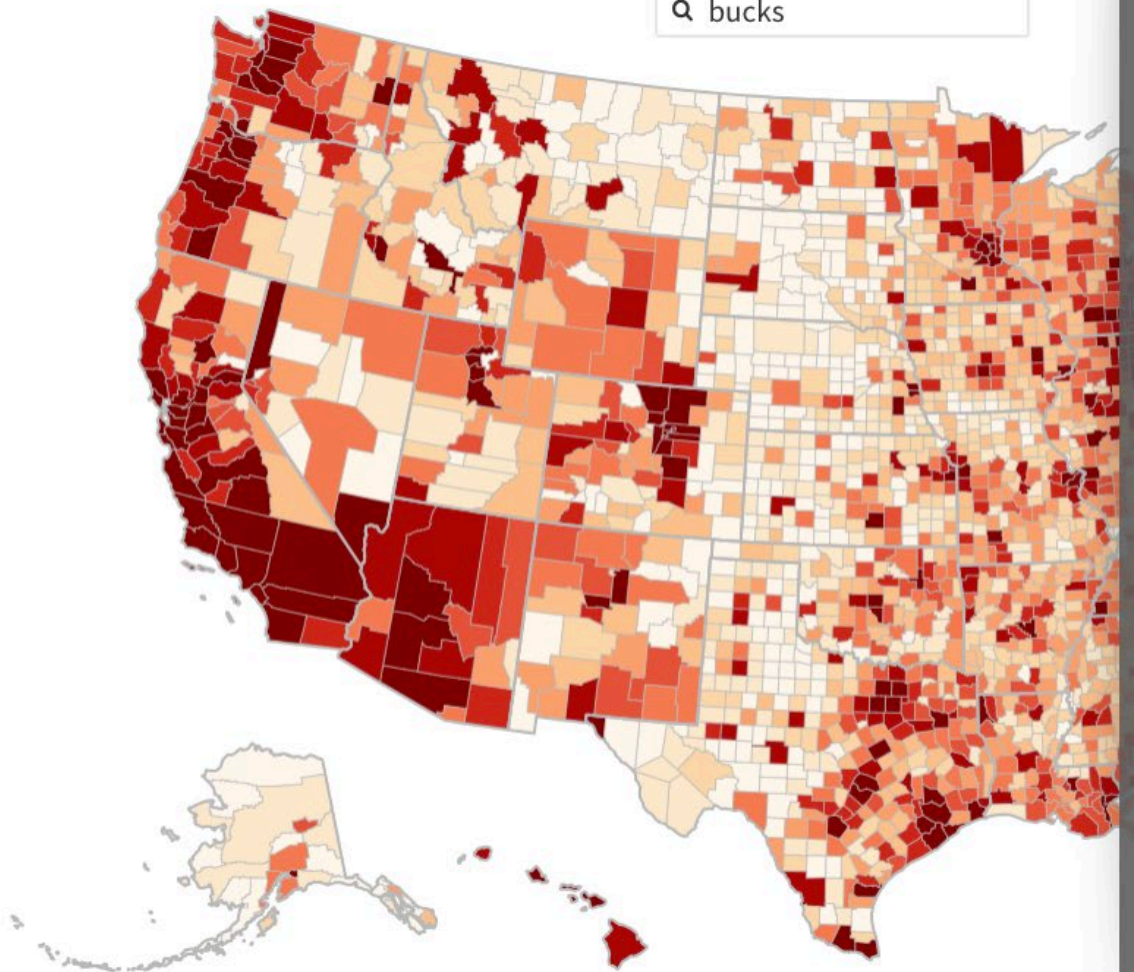


Emissions from lawn equipment by county

CO2 (tons) | NOx (tons) | Fine particulates (PM 2.5, tons)

5.8 — 675,789.89

bucks



Bucks County, Pennsylvania

State	Pennsylvania
CO2 (tons)	94,519.69
NOx (tons)	246.35
Fine particulates (PM 2.5, tons)	84.48
CO2 - equivalent number of cars	20,808
NOx - equivalent number of cars	110,162
PM 2.5 - equivalent number of cars	906,712

Emissions, in tons, from lawn and garden equipment by county, 2020

County	Nitrogen Oxides (NOx)	Volatile Organic Compounds (VOCs)	Carbon Dioxide (CO2)	PM2.5, Primary
Montgomery	388.25	1,841.47	148,271.42	133.98
Allegheny	259.54	1,333.11	103,845.25	84.57
Bucks	246.35	1,175.16	94,519.69	84.48
Chester	225.9	1,069.21	86,154.46	78
Delaware	137.84	685.03	54,638.86	46.72
Lancaster	123.23	615.6	48,292.15	41.53
Philadelphia	128.29	748.41	57,878.44	38.92
Westmoreland	114.21	557.81	44,094.63	38.04
Lehigh	100.14	489.28	38,647.09	33.62
Dauphin	91.29	449.42	35,377.72	30.97
Berks	79.13	401.12	31,373.35	26.13
Luzerne	79.86	391.69	31,026.04	26.01
York	76.34	395.53	30,681.54	25.29
Cumberland	58.46	292.6	22,929.37	19.67
Northampton	47.7	244.33	19,064.18	15.49
Erie	46.42	231.9	18,419.83	14.72
Northumberland	33.51	160.47	12,913.01	11.23
Crawford	33.81	157.39	12,824.2	11.15
Washington	32.27	170.06	13,148.7	10.35
Huntingdon	30.31	134.64	11,459.47	10.34
Lackawanna	32.98	169.18	13,290.4	10.31
Clinton	30.05	129.98	11,207.3	10.17
Snyder	29.47	128.61	11,063.03	10.12
Union	29.55	128.96	11,061.07	10.12
Butler	30.87	156.66	12,266.03	9.92
Centre	24.14	121.52	9,556.08	7.77
Cambria	24.34	123.86	9,751.43	7.67
Franklin	22.06	115.6	8,954.17	7.18
Monroe	21.21	111.25	8,700.28	6.55
Blair	20.09	103.59	8,105.26	6.36
Beaver	20.57	113.43	8,683.81	6.34
Lebanon	18	95.67	7,379.24	5.8

Noise,
Stress

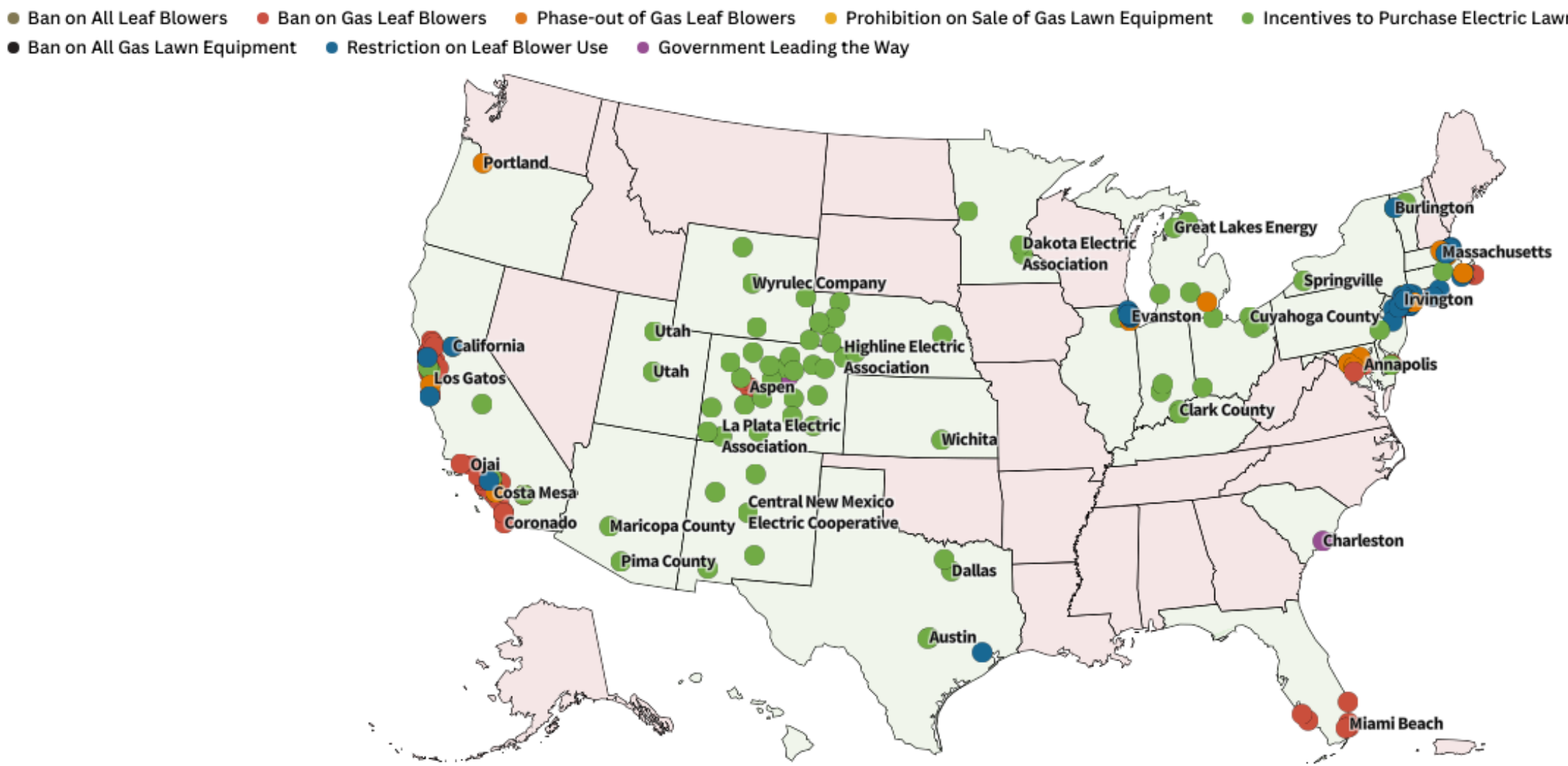
Toxic Fumes,
Carcinogens

Smog,
Climate
Change

↑ Impacts on
Children,
Elderly,
Asthmatics,
Workers

Airborne Dust,
Dirt,
Allergens,
Fecal Matter

- Heart Disease
- Hypertension
- Hearing Loss
- Cognitive Impairment


Ban on All Leaf Blowers
Ban on Gas Leaf Blowers
Phase-out of Gas Leaf Blowers
Prohibition on Sale of Gas Lawn Equipment
Incentives to Purchase Electric Lawn Equipment
Ban on All Gas Lawn Equipment
Restriction on Leaf Blower Use
Government Leading the Way
Portland
California
Los Gatos
Ojai
Costa Mesa
Coronado
Utah
Utah
Wyrulec Company
Highline Electric Association
Aspen
La Plata Electric Association
Wichita
Central New Mexico Electric Cooperative
Maricopa County
Pima County
Dallas
Austin
Dakota Electric Association
Great Lakes Energy
Evanston
Cuyahoga County
Springville
Burlington
Massachusetts
Irvington
Annapolis
Clark County
Charleston
Miami Beach

ALLOWABLE DAYS AND HOURS OF USE OF LANDSCAPING EQUIPMENT

Tool	Spring			Summer			Fall			Winter			
LEAF BLOWER	Mar 15 - May 15			May 16-Sept 30			Oct 1 - Dec 15			Dec 16 - Mar 14			Named Holidays 1pm-6pm
	Mon-Fri 8am-8pm	Sat 8am-5pm	Sun 1pm-6pm	Mon-Fri 8am-8pm	Sat 8am-5pm	Sun 1pm-6pm	Mon-Fri 8am-8pm	Sat 8am-5pm	Sun 1pm-6pm	Mon-Fri 8am-8pm	Sat 8am-5pm	Sun 1pm-6pm	
Gas-Powered	YES	YES	NO	NO			YES	YES	NO	NO			NO
Battery-Powered, Corded Electric	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES

Tool	Year-round			
LAWN MOWER	Mon-Fri 8am-8pm	Sat 8am-5pm	Sun 1pm-6pm	Named Holidays 1pm-6pm
Gas-Powered	YES	YES	YES	YES
Battery-Powered, Corded Electric	YES	YES	YES	YES

HEDGE, STRING OR POLE TRIMMER	Mon-Fri 8am-8pm	Sat 8am-5pm	Sun 1pm-6pm	Named Holidays 1pm-6pm
Gas-Powered	YES	YES	NO	NO
Battery-Powered, Corded Electric	YES	YES	YES	YES

MUNICIPALITY OF PRINCETON

Property owners/managers and hired landscapers (if applicable) are CO-RESPONSIBLE for compliance with the rules. Both are subject to penalties following any violation.

The municipality will notify the property owners/managers and hired landscapers (if applicable) if a violation is reported to have taken place on their property, and any hired landscaper involved. Violations will be issued to both the property owner and the hired landscaper involved.

Named holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day.

Provisions are lifted when equipment is used in response to a bona fide emergency such as a storm or other natural disaster.

Report violations through SeeClickFix https://seeclickfix.com/princeton_nj

Pursuant to the Ordinance, written warnings shall be given for the first two violations before February 2022. If additional violations are incurred, a summons will be issued and a municipal court appearance will be required to resolve the matter.

Landscapers must register with the municipality annually by March 1st. Register online at https://www.princetonnj.gov/1240/Landscape-Contractor-Regulations.

Other gas-powered equipment such as chain saws, snow blowers and portable generators can be used Mon - Fri 8 am - 8 pm, Sat 8 am - 5 pm unless they are used in response to a bona fide emergency such as a power outage, snow storm or other natural disaster.

Helpful links for more information:

- Landscape Contractor Regulations webpage https://www.princetonnj.gov/1240/Landscape-Contractor-Regulations
- Resident Landscape Regulations webpage https://www.princetonnj.gov/1239/Landscape-Maintenance-Regulations
- Ordinance 2021-32 https://www.princetonnj.gov/DocumentCenter/View/8929/2021-32-Ordinance-PDF?bidId=

GLOBAL WARMING SOLUTIONS

ACTION TOOLKIT
MARCH 14, 2024

Gas-Powered Leaf Blower Laws in Pennsylvania

PennEnvironment's toolkit for passing laws tackling climate, air, and noise pollution from gas leaf blowers and lawn equipment in your municipality