

Bern Township Planning Commission Meeting of April 14, 2026

Present: Planning Commission: Michael Werley, Christopher Becker, James Colflesh, Steve Tricarico and Thomas Egan.

Also Attending: Atty. Keith Mooney, Barley Snyder

Michael Werley called the meeting to order at 7:30 p.m.

Acceptance of Minutes

The minutes of March 10, 2026, meeting were approved. Motion by Mr. Becker, seconded by Mr. Tricarico. Motion carried.

Subdivision and Land Development Plans

None

Alternative Energy Ordinance discussion and recommendation

An updated draft copy of the Ordinance was submitted last month. The sub-committee of Mr. Egan, Mr. Colflesh & Mr. Tricarico along with Atty. Mooney reviewed the Ordinance. Berks County Planning Commission also provided their review letter and some of their changes were incorporated.

Time was taken for “clean-up” of the Ordinance by the committee along with general questions and discussion.

Following changes were made:

Under Section 184-5, Accessory Solar Energy System, recommended changing from 10 to 50 kilowatts for residential systems.

Under Section 184-5, Commercial Solar Energy System, recommended changing from exceeding 10 to exceeding 50 kilowatts.

Under Section 184-5 A definition was added *wildlife friendly perimeter fencing*.

Section 184-132.26 the last sentence of this paragraph was deleted.

Section 184-32.26 A, paragraph B, changed to *permitted as a conditional use in general, industrial, limited industrial, agricultural business, institutional recreational, rural residential, shopping center and office research Districts*.

Section 184-32.26 A paragraph D, changed to *electrical vehicle charging stations shall be permitted as accessory use in all zoning districts*.

Section 184-32.27, paragraph B, item 1, Grammatical error corrected by adding the words “or other properties” after the word “adjoining”.

Same section paragraph F, item 1, ‘no commercial solar system shall be located within 500 feet of property boundary line of any existing principally residential use or any other commercial solar energy system’. Recommendation to change 500 feet to 150 feet.

Same section paragraph F, item 3, ‘commercial solar energy systems that abut commercial solar energy systems on another parcel shall not be subject to set back’, was a suggested change, but the majority of the BTPC recommended that this sentence be removed.

Same section, paragraph N, Accessory system must be as far back as the front of the structure. Change wording from *front of the structure* to *front of the primary structure*.

Same section, paragraph O, *No part of a ground mounted accessory solar energy system or support system structure shall exceed the height of 15 feet.* This sentence was duplicated in error and suggested to be removed. Same paragraph, maximum height was recommended to be changed from 15 feet to 20 feet.

Same section, paragraph T, recommended to change maximum lot coverage from twenty-five to sixty percent to match Industrial coverage.

Same section, paragraph X, add item 1, *Before construction of a commercial solar energy system commences the decommissioning plan shall be submitted to the Township which includes review of costs every 5 years and includes a process for review.* Acceptance of this sentence was agreed upon.

Same section, paragraph BB, item 1, *If a commercial solar energy system suffers from a fire or from an incident resulting in damage or destruction to the equipment of the commercial solar energy system, or equipment being used for the construction maintenance operation or decommissioning of the commercial solar energy system such incident shall be reported to the Township no later than 72 hours from the occurrence.* The following section was revised to read as follows: *Upon the occurrence of a fire or other incident involving the commercial solar energy system or following any emergency response the Township shall have the authority to require the owner of the commercial solar energy system to conduct water quality testing to determine what contamination if any of well water and/or surface water in proximity to the system as it occurs as a result of such fire, incident or emergency response. The Township may in it’s sole discretion require that such contamination focus on water quality testing to be conducted at intervals more frequently than annually, for such deration as the Township deems necessary to protect public health and the environment. All required testing shall be performed by a qualified independent state certified laboratory or environmental professional at the owner’s sole expense, and the results shall be submitted to the Township within 7 days of receipt by the owner.* Acceptance of this statement was agreed upon.

Same section, paragraph BB, item 2, the words “*and a description of the solar panel composition*” were added to the paragraph.

Same section, paragraph BB, item 7, *Any structure to be used for housing of batteries or storage cells for commercial solar energy system shall be situated at least 500 feet away from any property lines of the site and at least 50 feet from any structure.* Recommended to change 500 feet to 150 feet.

Same section, paragraph CC Recommended to be rewritten as “*Commercial Solar Energy Systems shall meet the requirements of Section 184-153, “Environmental Performance Standards for Commercial and Industrial Districts”, including a submission of an environmental assessment statement in accordance with 184-174”.*

Same section, add paragraph DD, *Commercial solar energy system shall submit and adhere to a Vegetative Management Plan that provides the establishment and long-term maintenance of stable ground cover across the site. The plan shall identify proposed seed mixes, soil preparation, and erosion control measures. Specify ongoing vegetative maintenance through either periodic mowing or managed grazing, and include provisions for invasive species control, seasonal restrictions and protection of stormwater best management practices. The applicant shall demonstrate that the vegetation shall will be maintained in the manner that prevents noesis conditions, supports site stability and ensures continued compliance with all the improved environmental and stormwater requirements of the life of the facility.* Acceptance of this statement was agreed upon.

Same section, add paragraph EE, *If the ownership of the property changes either directly by sale, deed transfer or indirectly by death change in ownership of the entity owning the property, sheriff sale or court order the new owner must notify the Township for taxation, maintenance and decommissioning purposes.* This paragraph is recommended to be added.

Definition of *Accessory Wind Energy* needs to be reviewed. Atty Mooney and Mr. Potts will review this section.

Section 184-132.28, paragraph A, it was recommended to rewrite the paragraph to state, “Wind Energy Conversion Systems are permitted in all zoning districts, except the Airport Special Use Zone, as an accessory use to any lawfully permitted principal use or accessory structures on the same lot or parcel upon issuance of the proper permit pursuant to and upon compliance with all requirements of this section.”

Section 184-132.28, paragraph D, it was recommended to add the following words to the end of the paragraph, “Wind Energy Conversion Systems shall meet the requirements of Section 184-153, “Environmental Performance Standards for Commercial and Industrial Districts”, including a submission of an environmental assessment statement in accordance with 184-174.”

Section 184-132.8, paragraph K, *for all wind energy systems towers or poles shall be enclosed by a 6 feet fence.* Change 6 feet to 8 feet.

Section 184-132.28, it was recommended to add paragraph S, “If a Wind Energy Conversion System remains unused for a period of 12 consecutive months, the owner or operator shall

dismantle and remove the Wind Energy Conversion System within six months of notice to do so by the Township. Further, the owner or operator of the facility shall post security in a form acceptable to the Township in a sufficient amount to cover the facility removal and site cleanup prior to the issuance of any permits to construct or use said facility. The security shall be utilized by the Township in the event that the owner or operator of the facility fails to remove the facility within six months of the aforesaid notice by the Township to remove the facility.”

Section 184-132.29, paragraph C was recommended to read “Level 2 and Level 3 EVCS (200 to 1000 volts DC) shall not be installed inside or on top of parking garages or inside buildings, and shall be separated from any structure, building or combustible materials by a minimum distance of twenty-five (25) feet and installed in accordance with NEC Article 625 and manufacturer’s instructions.”

Section 184-132.29, paragraph F, the security deposit may be required to cover the cost of decommission removal of an electrical vehicle charging system is abandoned. The word *deposit* was added after *security*, and the word *equipment* changed to *system*.

Section 184-132.29, paragraph G, in all buildings shall be protected with an appropriate automatic fire suppression. In Section (C) this was banned in all buildings, so this statement can be removed.

Section 184-132.29, paragraph I, Each vehicle shall be installed with sufficient clearance to allow safe access and use. There shall be a buffer zone of 3’ on each side of any electrical vehicle station. Sentence was recommended to be changed to *Each electrical vehicle charging station shall be installed with sufficient clearance to allow safe access and use. Protective bollards or equivalent barriers shall be provided as needed to prevent vehicle impact.*

Section 184-132.29, paragraph K, Sentence was recommended to be re-written to *When one or more energy vehicle system are provided, at least one shall be accessible for persons with disabilities in accordance with ADA parking standards.*

Section 184-132.29, paragraph N, sentence was recommended to be re-written as ‘*charging equipment shall utilize commonly used electrical vehicle connection standards*’.

Everything after Section 4, Atty. Mooney and Mr. Potts will need to review to determine whether or not each and every Zoning District section which addresses Permitted Uses and/or Conditional Uses must be revised include these Alternative Energy Uses.

Mr. Egan made a motion to accept the changes discussed to the ordinance and return it to the Board of Supervisors, seconded by Mr. Colflesh. Motion carried

Public Comments

No Comment

Solicitor

No Comment

Adjournment

Mr. Colflesh made a motion to adjourn at approximately 9:45 p.m.; seconded by Mr. Becker. All in favor. Motion carried.