

BROADWAY PLANNING COMMISSION
October 11, 2022

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The Broadway Planning Commission met on October 11, 2022 in the Council Chambers of the Broadway Municipal Building. Commission Members present were Eddie Long, Brenda Pultz, Travis Driver and Tim Schmoyer. Staff members present were Kyle O'Brien, Andrea Fulk, Cari Orebaugh.

Chairman Eddie Long called the meeting to order at 7:00 p.m.

Approval of Minutes:

No minutes to be approved at this time.

Chairman Long stated the Planning Commission will stay in session through the two joint public hearings and will be adjourned when the second joint public hearing ends. He then stated the bylaws call for a roll call vote so he will call each member by name and then each member can vote accordingly. He then reminded all members that the requests can be approved, tabled, or denied. He further stated the Planning Commission has an obligation to the Town of Broadway and no other interest beyond that. He further stated that R5 can be approved for all usage upon approval from the Planning Commission and Town Council. The decision of the Planning Commission needs to be based solely on what is the best use of the land.

Discussion of Proposed Solar Farm on Springbrook Road:

Chairman Long stated some of his concerns are visibility from Springbrook Road, the Highlands apartments are within 80 ft of where the panels will be located, are solar panels good for the center of town, and why did the Rockingham County school board choose Broadway High School.

Tim Schmoyer stated he is also concerned with the visibility from the road and if it is approved what will prevent the company from straying from the plan.

Kyle O'Brien stated if the request is approved it is approved as presented to the Town and the company must follow that, it cannot be changed.

Chairman Long stated the solar panels will be visible from the road.

Mr. O'Brien commented there was a discussion about a buffer, but it can only be so high or it will interfere with the solar panels.

Travis Driver questioned if there was any validation to the email about possibly moving the panels up the hill.

Mr. O'Brien responded by stating no, there are two joint public hearings tonight and that is actually the other property and has nothing to do with this one.

Mr. Driver then questioned why the Town houses that were proposed for this property previously were denied.

Mr. O'Brien stated due to the ratio of renter occupied homes to owner occupied homes it was not pursued by the builder.

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Chairman Long stated it is important that the Planning Commission not lose track of the decision that needs to be made, it has nothing to do with the carbon footprint or the money that can be saved it is what is the best use of the property for the Town.

Mr. Schmoyer questioned how the bond that was discussed at the previous meeting will come into play if the company goes out of business.

Mr. O'Brien responded that the bond can be included as a condition with an approval, and it would be handled by our attorney.

Mr. O'Brien then stated this request is different because the idea is something the school system wants, and it makes it difficult. However, this can be tabled for more discussion if needed.

Chairman Long stated this is cut and dry either it is best for the property, or it is not.

Mr. Driver stated there will be residents of the town that are both in favor of and against the solar panels and those opinions of the residents will also need to be taken into consideration.

Mr. O'Brien stated this is just a land use issue and regardless of opinions for or against it is a land use issue.

Mr. Driver questioned what will happen if in 5 to 10 years no teacher is there to use what EmPower stated was the full potential of the solar power program.

Chairman Long stated he is concerned about the John Kline Homestead property. What happens if it changes ownership, and the new owners decide to use the property in another way will that be possible with solar panels there.

Council Representative Dave Jordan stated his thoughts are if this request is approved does this go in the direction the Town is wanting to go.

With there being no further questions or comments on the solar farm the discussion regarding the potential solar farm ended.

Discussion of rezoning a portion of property on Springbrook Road from R1 to B1:

Chairman Long then reminded everyone that the second joint public hearing is because the property in question has two zonings R1 and B1. The request will be to change the section that is currently R1 to B1 so the property will be zoned the same.

Cari Orebaugh stated the owner is coming with a site plan and to answer and questions that may arise.

Mr. O'Brien stated this property is challenging and does not have a lot of developable land but will benefit the owner to not have it split zoned.

Chairman Long stated if it is rezoned B1 now and sold at a later date it can always be rezoned back to R1.

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Ms. Orebaugh stated the property that needs to be rezoned is the western portion, the eastern portion is already zoned B1.

Mr. O'Brien stated there has been no opposition to this section of the property being rezoned and the owner will have to follow the town's ordinances and regulations.

Mr. Schmoyer questioned if there is ever a situation where a property did not have a plan and it was left undecided for the use.

Mr. O'Brien stated there are those instances, however the land development regulations will have to be followed. He further stated that while this property is challenging for the owner with the water and sewer it is still just a land use issue. All the neighbors have been notified and there has been no opposition to this property being rezoned.

Chairman Long stated if there is nothing further to discuss the Planning Commission will wait for the Joint Public Hearing to begin.

Andrea Fulk, Town Clerk