

**Minutes
Strasburg Township Planning Commission
June 8, 2026**

The Strasburg Township Planning Commission (PC) held their regular meeting on Monday, June 8, 2026, at 7:00 p.m. at the Strasburg Township Municipal building, 400 Bunker Hill Road. Present were Cindy Welk, Brad Leaman, Janice Bowermaster, Austin Good, Bill Potter, John Fisher, Terry Smith-Planning Commission members, Mark Deimler-Zoning Officer-VIA ZOOM and Tammy Jamison-Township Secretary.

Guests: Christian King-Strasburg resident

The meeting was called to order at 7:00 p.m.

On a motion by Fisher/Bowermaster, the PC voted unanimously to approve the minutes of May 11, 2026, as submitted.

Public comment was invited. There was none.

Potter reported he would like to start with PC File # 2026-02, 261 Paradise Lane before the old business discussions.

PC File # 2026-02, 261 Paradise Lane, Clair Landis, was reviewed, along with the Solanco Engineering Review Letter dated May 29, 2026. Representation was not present. Deimler provided the following:

- Applicant proposes to subdivide a 2.0-acre lot from an existing 111.44-acre farm
- Property is in the AG-Agriculture zone
- No new improvements are proposed
- Each dwelling is served by on-lot sewage and water facilities
- Section 402.D.3 – All existing features within 100 feet of the parent tract shall be provided. The applicant has requested a waiver of this requirement. Deimler stated there is no problem approving the waiver.
- The plan title should be revised to “Minor Subdivision Plan.....”
- LIDAR contour information on the parent tract needs to be provided
- Floodplain for all perennial streams located on the parent tract shown and labeled as 50 feet from the top of stream bank needs to be provided
- Lancaster County Tax on-line records do not show this dwelling as part of the taxable record of this property. The tax record will need to be corrected to include this dwelling.

On a motion by Good/Smith, the PC voted unanimously to forward the plan to the Supervisors with a recommendation to grant requested waiver and approve on condition all comments of Solanco Engineering letter of May 29, 2026 are satisfied.

The Meadows of Strasburg buffer plantings were discussed. The North/North-West side of the property is the main area screening is needed. Potter is concerned about some of the older trees and asked if they could be removed. Deimler informed him that the Board of Supervisors approval was conditional on not removing any existing trees. Potter suggested that evergreen trees be planted in the open spaces between existing trees, all members agreed. Fisher volunteered to meet with Deimler and the developer at the site to aid in the decision of where the evergreen trees should be planted. Board of Supervisors approval will be needed before this can be started.

AI/Data Centers were discussed. Manor Township's AI/Data Center Ordinance; "Manor Township Data centers and data center accessory uses. - Township of Manor, PA" was reviewed. Preserving farm land is top priority. Members agree that AI/Data centers do not belong in the AG zone. Possible items to regulate would be; minimum lot size, specific zones and distance from residential homes. Deimler reported that Strasburg Township does not seem to have the land or resources to attract Data centers. PC members were in agreement and decided to table the discussion on a possible ordinance until it may be needed.

Solar Panels/Arrays were discussed. Manor Township's Solar Ordinance; "Manor Township Solar energy systems and facilities. - Township of Manor, PA" was reviewed. Solar arrays are currently permitted as an accessory use in the township. Smith stated he is in agreement with Manor Townships ordinance except for the 60% max lot coverage, he would like to see 40% or less. PC members are in agreement that there should be a delineation between ground mount and roof mount solar systems. Principal use large scale systems would need to be regulated to specific zones such as Industrial or Commercial.

On a motion by Fisher/Leaman, the PC voted unanimously to request the Board of Supervisors to approve the township solicitor to use the Manor Township Solar Ordinance as a template to draft an ordinance for Strasburg Township.

Potter reported on a discussion at the last Supervisors meeting about short-term rentals (STR). As stated previously, since the ordinance was adopted, applicants have gotten creative with loopholes and workarounds that are not in keeping with the spirit and intention of the ordinance. The Board of Supervisors approved the township solicitor drafting an ordinance amendment to eliminate short-term rentals and allow Bed & Breakfasts as previously permitted.

Deimler reported the draft has been prepared and will be submitted to LCPD & Strasburg PC for review before July 2, 2026.

There being no further business before the PC, the meeting adjourned at approximately 8:10 p.m.

Tammy Jamison
Township Secretary

*** Manor Township Ordinances reviewed are included

Chapter 425. Zoning

Article IV. Specific Criteria

§ 425-112. Data centers and data center accessory uses.

[Added 11-6-2025 by Ord. No. 2-2025^[1]]

Within the (I) Industrial Zone, data centers, including data center accessory uses, shall be permitted by special exception, subject to the following criteria:

A. Definitions. The following terms will have the following definitions for purposes of this section:

SCREENING - AUDIBLE

A physical, acoustical barrier that is a wall, solid or louvered, specifically designed and constructed to disrupt the travel of sound through absorptive or deflective methods and may or may not be part of required visual screening. For this purpose, acoustical barrier is defined as an exterior solid or louvered wall containing soundproofing materials designed to absorb noise and protect properties from noise pollution.

SCREENING - VISUAL

A physical barrier, including but not limited to landscaping or a wall, solid or louvered, that obscures the visibility of a property or use from abutting properties, this term shall be understood to incorporate "screen planting."

B. Minimum lot area and lot width requirements.

- (1) The lot area shall not be less than 30 contiguous acres.
- (2) The width of any lot shall not be less than 100 feet at the building setback line.

C. Minimum setback requirements.

- (1) Front yard setback. All buildings and structures (except permitted signs) containing, or constituting part of, a data center shall be set back a minimum of 250 feet from the adjoining right-of-way line. All off-street loading areas, dumpsters, and outdoor storage areas shall be set back a minimum of 50 feet from the adjoining right-of-way line. All parking lots shall be set back at least 20 feet from any adjoining right-of-way.
- (2) Side yard setback. All buildings and structures (except permitted signs) containing, or constituting part of, a data center shall be set back a minimum of 250 feet from all side property boundaries. All dumpsters and off-street loading areas shall be set back at least 30 feet from any side property boundaries. All outdoor storage areas and off-street parking lots shall be set back at least 20 feet from any side property boundaries unless joint parking lots and/or loading areas are shared by adjoining uses, in which case one of the side yard setbacks can be waived solely for parking and/or loading facilities.
- (3) Rear yard setback. All buildings and structures (except permitted signs) containing, or constituting part of, a data center shall be set back a minimum of 250 feet from all rear property boundaries. All outdoor storage areas and off-street parking lots shall be set back a minimum of 25 feet from any rear property boundaries.

- (4) Buffer yards shall meet the requirements in Chapter 425 § 425-19F(4), Residential buffer, with the exception of the setback distances for buildings and structures set forth in Section 425-19F(4)(a). All setback distances for buildings and structures shall meet the requirements set forth in this section.
- (5) Accessory uses and structures, including Data Center Accessory Uses, shall be setback at least 50 feet from all property lines and adjoining rights-of-way, provided that any accessory uses and structures that are part of, or attached to, a building or structure housing the data center, must meet the setbacks set forth in Subsections C(1) through (3) hereof.

D. Height regulations.

- (1) Maximum permitted height of any structures is 40 feet. Building height shall be calculated from the lowest adjacent grade to the top edge of the roof and excludes any mechanical or accessory equipment, facades and/or parapets.
- (2) No mechanical or accessory equipment mounted on the roof may exceed 10 feet in height from the top edge of the roof.

E. Screening requirements.

- (1) Visual and audible screening shall be provided to all Data Center Accessory Uses, including, but not be limited to, cooling system components including, fans, blowers, water or other liquid cooling pumps, and similar systems and components, power supply systems including electrical sub-stations, transformers, fuel cells, generators, and similar systems and components. The requirements shall apply to both ground and roof mounted equipment and components.
 - (a) Visual screening shall be provided to a minimum height of 12 feet for ground mounted components and 10 feet for roof mounted components. Screening must be provided on all sides of the structure except when one side is facing and completely enclosed by the primary Data Center building.
 - (b) Audible screening shall be provided as to prohibit objectionable or nuisance sound levels at neighboring property lines in accordance with § 425-112F(2). Screening must be provided on all sides of the structure except when one side is facing and completely enclosed by the primary Data Center building.
- (2) When noise producing equipment is abutting a residential or agricultural district or use, such equipment shall be placed so that the Data Center is between the affected lot and the equipment.
- (3) If the Data Center has more than one lot line that abuts a residential or agricultural district or use, the sound producing equipment shall be placed on the side of the Data Center that does not abut the residential or agricultural district or use or the side that has greatest setback from the affected property line(s) with distance preference going to existing residential uses.

F. Lighting and noise.

- (1) Lighting.
 - (a) A photometric plan shall be provided showing all exterior lighting for the Data Center.
 - (b) Exterior lighting shall not be mounted higher than 25 feet on a standard or other freestanding support or the exterior of a structure from the lowest adjacent grade. The fixture shall be fully shielded or cutoff so as to direct light at a downward angle and towards the interior of the lot and not equal to or higher than the horizontal plane of the bulb, bulb enclosure, or light shielding.
- (2) Noise.
 - (a) Pre-construction study. A Noise Study of existing conditions at the time of the initial plan submittal shall be provided showing existing levels and anticipated levels. The study needs to use full-spectrum modeling and address low-frequency propagation.
 - (b) Post-construction study. A Noise Study of actual conditions showing sound levels at the time of operation along all property lines, at least one month but no more than 12 months after issuance of the Certificate of Occupancy. The study needs to use full-spectrum modeling and address low-frequency propagation.

- (c) Sound levels shall not exceed the specified dBA and dBC levels provided in Table 425-112F for the zoning district contiguous to the property line of the subject property measured at the property line.

[1] For the purposes of this section: "Daytime" means sunrise to sunset and "Nighttime" means sunset to sunrise for the 24-hour period in question.

- (d) The provisions of this Subsection **F(2)** shall not apply to:

[1] Testing of auxiliary power systems, including generators, between the hours of 7:00 a.m. and 7:00 p.m. EST. Such systems may not exceed 80 dBA or dBC during use.

[2] Auxiliary power systems in use during an emergency or primary power system failure.

Table 425-112F

Maximum Sound Levels for Data Centers at Property Line

Affected Zoning District(s)	Daytime Maximum dBA	Nighttime Maximum dBA	Daytime Maximum dBC	Nighttime Maximum dBC
Industrial (I)	70	65	80	65

- (e) Noise mitigation. If either the Pre or Post Construction Study does not meet the applicable maximum sound level, noise mitigation measures are required to verify conformance with the limit. The Owner must submit to the Zoning Officer an affidavit or certificate signed by a professional engineer stating whether noise mitigation measures are required by the noise study and, if so, identify the applicable mitigation measures. Mitigation measures must be shown on a Site Plan and said plans must be designed in compliance with all mitigation measures identified by the noise study. Each Site Plan must include a note stating whether there are noise mitigation measures identified by the noise study being implemented with the plan, and if so, such plans must identify and label the noise mitigation measures and reference the noise study. The Zoning Officer has the authority to interpret and enforce the Pre- and Post- Construction Study and any necessary noise mitigation measures.

G. Access and security.

- (1) Primary access shall be from an arterial or collector street with secondary egress and emergency access provided from any adjacent street.
- (2) Any gated emergency access route or secondary access route shall be fitted with the "knox-box" type device dictated by the fire department recognized by the Fire Department of the Manor Township Code of Ordinances.
- (3) All fencing, including security fencing, may not exceed 10 feet in height at the highest point of the fencing or any appendages, including but not limited to barbed wire.
- (4) Any non-riverine water source, including but not limited to ponds, lakes, marshes, swamps and similar areas, whether man-made or naturally occurring, shall be fully enclosed with a fence at least four feet in height. This includes all Stormwater Management facilities installed in accordance with Chapter 373 of the Manor Township Code of Ordinances.
- (5) Parking spaces shall be provided in accordance with § 425-41, Off-Street Parking.
- (6) Off-street loading facilities shall be provided in accordance with the following:
 - (a) One space shall be provided per 125,000 square feet of gross floor area with a minimum of two spaces.
 - (b) Off-street loading facilities, including loading docks and parking for vehicles of Class 6 or higher rating as defined by the Federal Highway Administration of the U.S. Department of Transportation shall be designed in accordance with § 425-42, Off-street loading facilities.
- (7) All access drives, including emergency access roads, shall be in accordance with § 425-40 but shall have a total lane width of not less than 24 feet, excluding any on street parking areas and shoulder. Cul-de-sacs shall have a diameter of at least 80 feet.

- (8) A minimum of one fire lane intended for aerial apparatus access to roof structures shall be provided. The lane shall be:
- (a) A minimum of 24 feet wide restricted to travel and not including any parking areas or shoulder;
 - (b) Clearly identified with ground markings and post-mounted signs;
 - (c) Free from any overhead obstructions; and
 - (d) Able to access the area not less than 15 feet nor greater than 30 feet from the Data Centers and be on the same side of the structure as the access road.

H. Environmental requirements.

(1) Water use.

- (a) A water feasibility study prepared by a qualified professional shall be provided with the land development application. The purpose of the study will be to determine if there is an adequate supply of water for the proposed data center and to estimate the impact of the data center on existing public systems and/or wells in the vicinity. No data center shall be approved without sufficient water and/or for a use that poses adverse impact on existing wells in the vicinity. Whether the source is from a publicly-owned or privately-owned system, the applicant shall include documentation from the owner that the system will supply the water needed. A water feasibility study shall include the following minimum information:
 - [1] Calculations of the projected water needs.
 - [2] A geologic map of the area with a radius of at least one mile from the site.
 - [3] The location of all existing and proposed wells within 1,000 feet of the site, with a notation of the capacity of all high-yield wells.
 - [4] The location of all streams within 1,000 feet of the site and all known point sources of pollution.
 - [5] Based on the geologic formation(s) underlying the site, the long-term safe yield shall be determined.
 - [6] A determination of the effects of the proposed water supply system on the quantity and quality of water in nearby wells, streams, and the groundwater table.
 - [7] Identification of how water will be recycled or released into surrounding water bodies.
 - [8] A statement of the qualification and the signature(s) of the person(s) preparing the study.
 - (b) The applicant shall provide proof of review and approval from the Susquehanna River Basin Commission (SRBC) for projects that have:
 - [1] Water withdrawals of 100,000 gallons per day (gpd) or more over a 30-day average from any source or combination of sources within the Susquehanna River Basin.
 - [2] Any consumptive water use of 20,000 gpd or more over a 30-day average from any water source.
 - (c) Any cooling system use where water is taken directly from a riverine water source shall be designed and installed in accordance with all Federal and State regulatory and permitting requirements. The extraction and outflows components must be secured from access by fencing of at least six feet in height.
- (2) Public water and sewer shall be provided for all sanitary facilities.
- (3) Any emissions of exhaust, gases, noxious odor or similar shall adhere to applicable State and Federal emission standards.
- (4) A decommissioning plan shall be submitted as part of any Land Development submission and shall show how the site will be returned to a neutral state, being a condition that is easily adapted to similar

uses, and the handling and removal of any Electronic Waste (also known as "E-Waste") and/or any other hazardous material that may be present on the site.

- [1] *Editor's Note: This ordinance also renumbered former §§ 425-112 through 425-134 as §§ **425-113** through **425-135**.*

Chapter 425. Zoning

Article IV. Specific Criteria

§ 425-104.1. Solar energy systems and facilities.

[Added 9-5-2023 by Ord. No. 2-2023; amended 11-6-2025 by Ord. No. 2-2025]

Within the (GC) General Commercial Zone and the (I) Industrial Zone, principal solar energy systems shall be permitted by special exception, and within all zones accessory solar energy systems shall be permitted by right subject to the following definitions and criteria:

A. Definitions. The following terms will have the following definitions for purposes of this section.

ACCESSORY SOLAR ENERGY SYSTEM(S) (ASES)

An alternative energy system consisting of one or more ground-mounted, principal-building-mounted, or accessory-building-mounted solar collection devices and solar energy related equipment to generate electricity or otherwise convert solar energy into a different form of energy for the primary purpose of reducing on-site consumption of purchased power.

PRINCIPAL SOLAR ENERGY SYSTEM(S) (PSES)

An alternative energy system consisting of ground-mounted solar collection devices and solar energy related equipment to generate electricity or otherwise convert solar energy into a different form of energy for the primary purpose of using the energy for commercial or other off-site use, including but not limited to any structure for batteries or storage cells related to solar energy.

B. Accessory solar energy system(s) (ASES).

- (1) The placement of all features and system components constituting the ASES shall comply with the principal building setback, height, lot coverage, and other bulk requirements of the applicable underlying zoning district.
- (2) Roof-mounted ASES shall not extend beyond the roof edge in any direction nor above the ridgeline of any sloped roof to which the system is attached.
- (3) Ground-mounted ASES shall not exceed 12 feet in height.
- (4) The maximum permitted area, which is the combined surface area of all individual solar panels constituting the ASES, shall not exceed 1,000 square feet. The square footage limit does not apply to roof-mounted panels.
- (5) All utilities, lines, cables, wires, and other connections of, to, or from the ASES and any related structure shall be at or below grade.
- (6) The ASES shall be installed in compliance with all applicable building and construction code requirements.
- (7) Ground-mounted ASES shall be deemed impervious cover requiring stormwater management design pursuant to the Manor Township Stormwater Management Ordinance.^[1] The landowner must maintain the stormwater management feature(s) in good working order so long as the system is installed.

[1] Editor's Note: See Ch. 373, Stormwater Management.

- (8) The actual surface area of all individual panels shall be considered in determining the amount of additional lot coverage the system creates.
- (9) If requested by the Township, the applicant shall supply one year's worth of electrical consumption records for the subject property to serve as a benchmark for the anticipated amount of electrical energy proposed to be generated.
- (10) ASES shall be a use permitted by right in all zoning districts in the Township provided that they meet all regulations set forth herein.
- (11) The design, installation, and operation of ASES shall comply with all applicable federal, state, and local laws and regulations, including but not limited to building, construction, fire and life safety requirements, and conform to the applicable industry standards, including those of the American National Standards (ANSI), Underwriters Laboratories (UL), the American Society for Testing and Materials (ASTM), and other similar certifying organizations.

C. Principal solar energy system(s) (PSES).

- (1) Within the (I) Industrial Zone and the (GC) General Commercial Zone, a PSES shall be a use permitted by special exception, subject to the standards set forth in this section.
- (2) If the PSES is upon a lot that adjoins another lot with an existing residential use, then all features and system components shall be set back a minimum of 50 feet from that shared boundary line.
- (3) The minimum lot size for placement of a PSES shall be 20 acres.
- (4) Within the (I) Industrial and (GC) General Commercial Zones, the placement of all features and system components constituting the PSES shall be set back a minimum of 50 feet from all property lines and street right-of-way lines. Within the aforementioned districts, the maximum lot coverage of the PSES shall not exceed 65%.
- (5) All PSES features and system components that are impervious, including but not limited to panels and their actual surface area, buildings, roads, etc., shall be considered in the lot coverage determination.
- (6) Ground-mounted PSES shall not exceed 12 feet in height. Buildings constituting or relating to the PSES shall comply with the underlying zoning district requirements for maximum building height.
- (7) The lot with the PSES may also have a single-family dwelling, which will be considered an accessory use.
- (8) The PSES shall be enclosed with an eight-foot-tall chain-link fence having self-locking gates.
- (9) As referenced in Subsection C(5) herein, the actual surface area of all panels shall be considered impervious and require stormwater management design complying with the Manor Township Stormwater Management Ordinance.
- (10) Landscape screening shall include a minimum of two rows of native, green evergreen trees at least eight feet in height at the time of planting, planted 15 feet on center and staggered, and shall be installed as follows:
 - (a) Within the (I) Industrial Zone, along all property lines of the lot upon which the PSES is situated that abut or are across from an existing residential use; or
 - (b) Within the (GC) General Commercial Zone, along all property lines of the lot upon which the PSES is situated.
- (11) Other design, installation, and operation regulations.
 - (a) The design, installation, and operation of PSES shall comply with all applicable federal, state, and local laws and regulations, including but not limited to building, construction, fire, and life safety requirements, and conform to the applicable industry standards, including those of the American National Standards (ANSI), Underwriters Laboratories (UL), the American Society for Testing and Materials (ASTM), and other similar certifying organizations.

- (b) The PSES shall have conspicuously and clearly labeled warnings about voltage and other important electrical safety information upon all features and components.
- (c) The panels shall be positioned to prevent glare upon all neighboring properties, public streets, and private streets.
- (d) The panels shall be positioned to prevent additional heat load upon all neighboring properties.
- (e) Ground-mounted PSES shall not have concrete footings.
- (f) The PSES shall not be located on soils designated as prime agricultural soils as determined by the current soil survey of the United States Department of Agriculture (USDA), floodplain area(s) [as defined in § 425-21, (FP) Floodplain Zone, of this chapter], wetlands, or slopes exceeding 25%.
- (g) Clear cutting of wooded areas for placement of the PSES shall not be permitted.
- (h) System components of the PSES shall be located on land, in descending order of desirability based upon the soil type classifications D, C, B, and A.

(12) Submission requirements. The applicant proposing to erect a PSES shall submit to the Township:

- (a) A land development plan conforming with the requirements of the Manor Township Subdivision and Land Development Ordinance,^[2] which plan must be approved by the Township;
[2] *Editor's Note: See Ch. 388, Subdivision and Land Development.*
- (b) A project summary describing the overview of the project, which shall include: the proposed PSES and ancillary facilities; its approximate generating capacity, proposed location, and the location of any new electrical line(s) to and from such system and their off-site connection point(s) to the electrical grid; and the approximate number of panels to be installed, their representative type, height/extent or range of heights/extent, generating capacity, dimensions, and manufacturer(s);
- (c) A glare analysis report prepared and sealed by an engineer licensed in the Commonwealth of Pennsylvania, which shows that glare will not be projected onto any public street or any building on a property, other than the property where the PSES is located, as a result of its installation;
- (d) Documents related to decommissioning, as more fully described hereinbelow, including but not limited to executed agreement(s), such as a participating landowner agreement between the Township and PSES owner, operator, and/or landowner requiring such owner, operator, and/or landowner to obtain and post financial security for decommissioning as described hereinbelow; and
- (e) Other relevant studies, reports, certifications, approvals, and agreements as may be reasonably requested by the Board of Supervisors to ensure compliance with this chapter, including, but not limited to: an interconnection agreement to evidence approval by an electrical utility or other entity receiving the generated energy from the PSES; an operations agreement to set forth operations and management parameters and policies, require continually updated/submitted contact information for the PSES owner/operator, and mandate inspection protocol and emergency procedures; a construction/deconstruction mitigation plan with a traffic study for those periods of construction and deconstruction along with a schedule for when such activities are proposed to occur; and/or a scenic viewshed mitigation plan.

(13) Certifications and inspections.

- (a) National and state standards. The applicant shall show that all applicable manufacturer's, Commonwealth of Pennsylvania and U.S. standards for the construction, operation, and maintenance of the proposed PSES have been met, including, without limitation, back-feed prevention and lightning grounding. The PSES shall be built, operated, and maintained to the applicable industry standards of the Institute of Electrical and Electronic Engineers (IEEE) and the American National Standards Institute (ANSI). The applicant for a PSES shall furnish evidence, over the signature of a professional engineer licensed to practice in the Commonwealth of Pennsylvania, that such PSES complies with all above standards.

- (b) An annual inspection report prepared by an independent professional engineer licensed in the Commonwealth of Pennsylvania shall be obtained by the PSES owner/operator and submitted to the Township not later than 30 days after each anniversary of the date on which the Township certified the PSES ready for operation. The inspection report shall certify the structural soundness and proper operation of the PSES.
 - (c) No PSES shall commence operation until the Township has certified, in writing, that the conditions of this section have been satisfied and the PSES has been constructed and installed in accordance with the approved plans and specifications.
- (14) Local emergency services. The applicant shall provide a copy of the land development plan and project summary to the local fire companies and the Township's fire safety consultant for their review and comment. Comments and recommendations from the above individuals and/or entities shall be addressed by the applicant to the satisfaction of the Township in subsequent plan revisions. Upon the Township's request, the applicant shall cooperate with emergency services to develop and coordinate implementation of an emergency response plan for the PSES.
- (15) Decommissioning.
- (a) The PSES owner and operator shall, at its expense, complete decommissioning of the PSES within six months after the end of its useful life or the useful life of the panel(s), whichever comes first. The PSES and panels are presumed no longer useful when either fails to generate electricity for a continuous period of six months.
 - (b) Decommissioning shall include removal of all panels, buildings, cabling, electrical components, foundations, and any other associated features, facilities, or related components in their entirety, whether above, equal to or below ground. Stormwater facilities and healthy landscaping shall remain undisturbed.
 - (c) Disturbed earth shall be graded and re-seeded unless the landowner requests in writing that the access roads or other land surface areas not be restored.
 - (d) An independent, certified professional engineer licensed to practice in the Commonwealth of Pennsylvania shall be retained to estimate the total cost of decommissioning (the "decommissioning costs") without regard to salvage value of the equipment, and the cost of decommissioning net salvage value of the equipment (the "net decommissioning costs"). Said estimates shall be submitted to the Township prior to final approval of the land development plan and after the first year of operation and every fifth year thereafter.
 - (e) The PSES owner or operator shall post and maintain financial security for decommissioning in an amount equal to net decommissioning costs (the "financial security for decommissioning") before or contemporaneous with the Township's final approval of the land development plan. At no point thereafter shall the financial security for decommissioning be less than 25% of decommissioning costs. The funds for the financial security for decommissioning shall be posted and maintained with a bonding company, or federal or commonwealth chartered lending institution chosen by the PSES owner, operator, or participating landowner posting the financial security, provided that the bonding company or lending institution is authorized to conduct such business within the commonwealth and is approved by the Township.
 - (f) The financial security for decommissioning 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 to the Township.
 - (g) If the PSES owner or operator fails to complete decommissioning within the prescribed period, then the landowner shall have six months to complete decommissioning.
 - (h) If neither the PSES owner or operator nor the landowner complete decommissioning within the periods prescribed herein, then the Township may take such measures as necessary to complete decommissioning through the use of the financial security for decommissioning provided by the PSES owner or operator. The entry into and submission of evidence of a participating landowner agreement to the Township shall constitute consent of the parties to the agreement, their respective heirs, successors, and assigns that the Township may take such action as necessary to implement the decommissioning plan at the sole expense of the PSES owner, operator, and landowner.

- (i) The escrow agent shall only release the financial security for decommissioning to the PSES owner or operator when such individual(s) demonstrated, and the municipality concurs, that decommissioning has been satisfactorily completed, or upon written approval of the municipality in order to implement the decommissioning plan.