

**Cherrytree Township Board of Supervisors**  
**Regular Monthly Meeting**  
**July 3, 2023**  
**6:00 p.m.**

A regular monthly meeting of the Cherrytree Township Board of Supervisors was held on Monday, July 3, 2023, at 6:00 p.m., at the township building. In attendance were Jim Waugh, Dave Zdarko, and Rob Kellogg, Supervisors, and Christine Kurelowech, Secretary-Treasurer.

**Call to Order**

Jim Waugh called the meeting to order.

**Pledge**

**Moment of Prayer**

Jim Waugh led those in attendance in a moment of prayer.

**Public Comment**

Mary Doult expressed concern regarding a second solar farm being constructed in the township. She said she recently heard that an approximate 500-acre parcel located on Lamey Road is in the process of being sold to a company to be used for the construction of a solar farm. Since her home is in close proximity to the parcel in question, she is very concerned about the impact that the loss of wooded acreage and the construction of a solar farm would have on her property. Township officials told Mary Doult that no application for a second solar farm has been submitted to the township and that the township has not been contacted by any company regarding the possible construction of a solar farm on Lamey Road. Titusville Solar, LLC was issued a permit for a solar farm along Route 8/Sopher Road/Fairview Road, but at this time no other company has applied for permission to construct a solar farm. Furthermore, the township passed Ordinance #01-2021, which amended the zoning ordinance to include regulations pertaining to solar farms including limits on acreage, tree removal, etc. Mary Doult told the Supervisors that she has seen Ordinance #01-2021 and she commended the township for putting it in place to protect the citizens.

**Minutes/Treasurer's Report**

The minutes, from the regular monthly meeting held on Monday, June 5, 2023, were read, accepted, and approved, on a motion made by Dave Zdarko, seconded by Rob Kellogg, and carried unanimously.

The treasurer's report, for June 2023, was read, accepted, and approved, on a motion made by Jim Waugh, seconded by Dave Zdarko, and carried unanimously.

**Correspondence**

PennDOT – Upcoming Projects in Cherrytree Township

*PennDOT has two upcoming projects scheduled in the township. The first is a resurfacing project on Route 417, from Keely Road to Route 8, which is planned for 2027. The second is the repair of a slide along Route 8, which is planned for 2024.*

PSATS News Bulletin

**Zoning**

**Permits**

Z-2023-07 S. Charlene Armstrong

4145 State Route 8 new 10' by 12' porch

### **Zoning Report**

Tim McGrath, Zoning Officer, reported that there were two zoning permits issued during the last month.

Regarding the solar farm on Route 8/Sopher Road/Fairview Road, Tim McGrath told the Supervisors that the permit for the project (Z-2022-04 – issued to Carmen and Antoinette Paliotta/Lewis Staub) expired on June 12, 2023. He said that the zoning permit states that the property owner/applicant(s) will follow all township codes and ordinances and that, even though the zoning ordinance does not define “start of construction”, the floodplain ordinance clearly defines “start of construction” in Section 3.08 and, according to the definition, construction has not begun on the project and the 180-day limit has been reached. He asked the Supervisors if they would be in favor of requiring the solar company (Cypress Creek Renewables) to pay \$10,000.00 to extend the permit for an additional 180 days and the Supervisors were in agreement to do so. Tim McGrath will send a letter to Cypress Creek Renewables offering a 180-day extension for another permit fee of \$10,000.00. Permit Z-2022-04 was originally issued on April 18, 2022 and was extended an additional 180 days on December 12, 2022.

The owners of 1220 South Perry Street (Bliznesky) have not made any progress in removing the junk from the property. Tim McGrath presented the Supervisors with two options. The first is to fine the owners \$5,000.00. According to township ordinances, they can be fined \$500.00 for each day that they are in violation, and the township has been sending them notifications for 13 years. The second option is to contact Harley Richards to see if he would be interested in taking his crew to the property to remove all of the junk. Harley Richards has been collecting scrap at the township’s annual Clean-Up Weekend for many years. In exchange for Harley’s efforts at 1220 South Perry Street, he would be entitled to keep any scrap that he wanted to turn in for money. He would also need to pay for a dumpster. There would be no cost to the owners of the property and no cost to the township. Dave Zdarko questioned whether or not the township could fine the property owners \$5,000.00 and Tim McGrath said he would recommend that amount to the court. The Supervisors were in favor of having Harley Richards clean up the property. Tim McGrath will contact Harley Richards to see if he has any interest.

Tim McGrath noted that there is junk/garbage accumulation on a property located at the intersection of Fairview Road and Stone Springhouse Road. He also said that a new front porch was added to a house on Old Route 8 with no permits and there is a new pole building being erected on Dempseytown-Gresham Road with no permits. He asked the Supervisors where his “boundaries” are concerning zoning enforcement. He wanted to know if the Supervisors would like him to drive around the township looking for violations or simply review permit applications and zoning complaints that are submitted and not pursue enforcement on people who are in violation of the zoning ordinance. Jim Waugh told Tim McGrath that if he happens to drive past a property where there is a zoning violation, that it is his responsibility to make contact with the owner to address the issue. However, the Supervisors do not want him to drive around for the sole purpose of finding violations.

Judy Cochran recently inquired about the possibility of obtaining a zoning permit to build several cabins along Drake Well Road that would be rented out to tourists who are in the area for races, fishing, etc. She and her husband are interested in using approximately 6 acres (split between 2 parcels) to build several 20 ft. by 30 ft. cabins. Tim McGrath noted that the cabins would be located in the township’s R/A (Residential/Agricultural) district, so it would be better to build 5 or 6 cabins, as opposed to 6 to 8 cabins, to keep in line with

the zoning ordinance. He recommended taking the plans before the Zoning Hearing Board for approval. However, the Cochrans need approval from the City of Titusville for water and sewage access before moving forward with the project.

## **Administrative Action**

### **2023 Municipal Insurance Renewal**

Chrissie Kurelowech reported that the renewal premium for the township's commercial package (property, general liability, cyber liability, auto (township and VFD), inland marine, crime, umbrella, and public officials liability) is \$10,472.00 (Astra), which is \$523.00 lower than last year. The renewal premium for the workers compensation insurance (township and VFD) is \$13,321.00 (AmTrust), which is \$96.00 lower than last year. On a motion made by Jim Waugh, seconded by Rob Kellogg, and carried unanimously, the Supervisors voted to renew (July 1, 2023 through June 30, 2024) the township's commercial package (carrier is Astra and the annual premium is \$10,472.00) and workers compensation policy (carrier is AmTrust and the annual premium is \$13,321.00) through Franklin Insurance Agency, Inc.

## **Committee Reports**

### **VFD**

Tom Huffman, VFD Fire Chief, reported that there were 14 calls since the last meeting. Of the 14 calls, 2 were in Crawford County and 12 were in Venango County. Of the calls in Crawford County, 1 was a building fire and 1 was a brush fire. Of the calls in Venango County, 1 was a vehicle fire, 8 were EMS, and 3 were public service.

The VFD has been awarded a FEMA grant of \$95,495.00 that will be used to replace air packs.

Tom Huffman and Don Deliman recently attended a Venango County Fire Chiefs Association meeting. Discussion was held regarding a very costly Venango County radio upgrade that has an estimated completion date of the first or second quarter of 2025. Tom Huffman said that the truck and station radios will cost approximately \$50,000.00 to replace and the handheld radios are estimated to cost \$5,500.00 per radio. The complete upgrade will cost the VFD about \$100,000.00.

### **EMA**

There was no report.

### **Road**

Lew Staub, Roadmaster, reported that the road crew spent 10 days grading and putting down dust control (18 loads), mowed the yard twice, installed a driveway pipe, spent 9 days mowing along roads, and cut and pushed 5 trees off of roads. They also cleaned under guiderail on Cherrytree Road and installed 2 crossover pipes.

As for equipment, the fan belts and thermostat were changed on the 2017 Massey Ferguson tractor.

## **Old Business**

### **1989 John Deere 770B Grader - Municibid**

Chrissie Kurelowech reported that the 1989 John Deere 770B grader sold for \$10,075.00 on [www.municibid.com](http://www.municibid.com). She has made contact with the buyer and is in the process of arranging a pick-up time.

**New Business****Charter Communications – COVID-19 ARPA PA Broadband Infrastructure Program**

Chrissie Kurelowech asked the Supervisors if they would consider signing a letter of support for Charter Communications to include with its grant application that it plans to submit to the Pennsylvania Broadband Development Authority. The company is applying for a grant to expand broadband through the COVID-19 ARPA PA Broadband Infrastructure Program and is seeking letters of support from municipalities. After a brief discussion, the Supervisors were reluctant to put support behind a private company and chose not to sign the letter.

**Adjournments**

The meeting adjourned at 6:35 p.m.

The bills were reviewed by the Board of Supervisors.

Respectfully submitted,

Christine C. Kurelowech, Secretary-Treasurer