

**Cherrytree Township Board of Supervisors**  
**Public Hearing – Ordinance #01-2021 - Solar**  
**July 6, 2021**  
**6:00 p.m.**

The Cherrytree Township Board of Supervisors held a public hearing on Tuesday, July 6, 2021, at 6:00 p.m., in the township building, to receive public input regarding Ordinance #01-2021 (Solar). In attendance were Jim Waugh and Rob Kellogg, Supervisors, and Christine Kurelowech, Secretary-Treasurer. Alan Shaddinger, Solicitor, was also in attendance.

**Call to Order**

Jim Waugh called the hearing to order.

**Pledge**

**Moment of Prayer**

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

**Public Comment**

Several township residents and property owners, as well as several representatives from solar companies, provided input to the Supervisors regarding the draft of Ordinance #01-2021 (Solar). Ken Humanic read a prepared statement of 30 comments and suggestions he wanted to make to the Supervisors regarding the draft ordinance. He then asked the Supervisors to consider tabling the ordinance and Jim Waugh said that the moratorium on solar development had expired and that the township must have an ordinance in place. Otherwise, the township is open to anyone doing anything. Jim Waugh also said that he wished the township did not have to pass the ordinance, but that the township must have some sort of control over solar development. Alan Shaddinger, Solicitor, said that he would defend the ordinance to the best of his ability. Ken Humanic said that the ordinance needs to be less restrictive and that he did not see the draft until 3 weeks prior. Jim Waugh noted that it is important for more people to get involved in township issues. Taylor Nelson asked the Supervisors why the ordinance is so harsh and said that solar development is no different than oil, etc. Tim McGrath told those in attendance that he was involved with the process to develop the ordinance from the beginning and asked if anyone had done the research to see where the draft ordinance came from, noting that the entire ordinance was based upon existing documents such as the Cherrytree Township Zoning Ordinance, the Cherrytree Township Comprehensive Plan, the Pennsylvania Municipalities Planning Code (MPC), and the Venango County Natural Heritage Inventory. He said anyone not having knowledge of the documents that the draft ordinance was based upon would be upset.

Lindsey White, of Monarch Vegetation Services, Inc., told those in attendance that the company she represents provides vegetation to solar sites and, in an effort to illustrate what people can expect to see in Cherrytree Township, she presented several pictures of the company's work at different sites throughout Pennsylvania. She noted that farming is dying and development is coming.

It was suggested that the township upload its draft ordinance to the Great Plains Institute to be reviewed. The mission of the Great Plains Institute, as it appears on the non-profit's website, is "to transform methods of producing, distributing, and consuming energy to be both environmentally and economically sustainable. Through research and analysis, consensus policy development, technology acceleration, and local action, the Great Plains Institute promotes the transition to clean, efficient, and secure energy. The Great Plains Institute's seven major areas of

work include: Energy Efficiency, Energy Infrastructure, Fossil Energy, International Collaboration, Renewable Energy, Sustainable Communities, and Transportation.”

Don Deliman stated that he signed the petition asking for a moratorium on solar development, but that he feels the draft ordinance is too restrictive. Donna Appel said that people need to come together and work on a new draft. Jim Waugh said that he believes in freedom, but he still feels the township needs to have a solar ordinance in place. Tim McGrath noted that a solar company can apply for a variance if it cannot comply with the existing ordinance and reiterated the fact that the entire ordinance is based on existing current law (zoning ordinance, comprehensive plan, PA MPC, and the Venango County Natural Heritage Inventory). He said that the community has rights and that the Supervisors are responsible for protecting the health and welfare of the community. He noted that any property owner can install an Accessory Solar Energy System (ASES) right now, under the existing zoning ordinance. Ron Stewart questioned why Tim McGrath, the fire chief, is the “spokesman for the township” and Jim Waugh said that Tim McGrath volunteered his time and has performed a lot of research in the process of drafting the ordinance. Marcia Moon asked how long chemicals could be stored at a solar farm (the draft ordinance requires a foam additive to be stored on-site for a fire emergency) and was concerned about the chemicals seeping into the ground and affecting water wells. Tim McGrath suggested that this issue might be addressed as part of the stormwater requirements. An argument took place between several people in attendance regarding whether or not foam would be used to fight a fire at a solar farm and how often fires occur at solar farms. Lew Staub said that the Cherrytree Township Comprehensive Plan is not a law, it’s more of a recommendation. Christy Humanic said that solar is no different than the oil and gas industries, questioning the need for strict regulations on solar development.

David Weightman, a representative of Cypress Creek Renewables, distributed a PowerPoint presentation entitled “What Solar Brings to Cherrytree Township” and briefly discussed its content. The presentation highlighted jobs, community donations, and tax revenue. Additionally, it said that Cypress Creek’s project on Route 8 will be low-impact and out of sight, as well as safe.

Jayce Walker, a representative of Recurrent Energy, said that solar farms will increase tax revenue. However, with the limitations in the draft ordinance, specifically the acreage limitations, Recurrent Energy will not pursue a project in the township. He also noted that, if the solar panels are considered impervious surfaces, as specified in the draft ordinance, it will force the solar companies to create retention ponds, which will result in more barren acreage. Additionally, he said that his company would typically take 5 or 6 soil samples for a project the size of the project being proposed in Cherrytree Township (approximately 1,100 acres), but the draft ordinance, if passed, would require 1,100 soil samples to be taken.

## **Adjournments**

The hearing adjourned at 7:20 p.m.

Respectfully submitted,

Christine C. Kurelowech, Secretary-Treasurer