

The regular monthly meeting of the Fox Township Board of Supervisors was held August 7, 2024, at 6:00 PM. Those present: Dave Mattiuz, Matt Pontzer, and Randy Gradizzi, supervisors, Kathy Dowie, secretary-treasurer, Rob Singer, John Thomas, solicitor, attorney Tom Beveridge. Jim Nissel, Cynthia Wonderly, William Houck, Zachary Houck, Rich Wonderly, Joyce Mosier, Jay Dippold and Chrissy Dippold.

Chairman Dave Mattiuz called the meeting to order and began by acknowledging the visitors. Tom Beveridge stated that he was representing the residents that live near the Forestview Dog Kennel. He stated that he questions whether the permit for this business should have even been granted. He will be reaching out to the Board and their solicitor over the matter and hopes that action can be taken within 30 days. Beveridge was not specific as to the actions he was referring to. There were no comments from the Board or solicitor Thomas.

There were no other visitor comments.

A motion was made by Matt Pontzer, seconded by Randy Gradizzi to approve the minutes from the meeting of July 3, 2024. Motion carried.

### **UNFINISHED BUSINESS**

There was no unfinished business to discuss.

### **NEW BUSINESS**

Eric Thompson requested a conditional use for the property at 250 Skyline Drive for a secondary shop, which will require a hearing before the Board of Supervisors. The Board tentatively set September 4, 2024 at 4:30 PM to hear Thompson's request, followed by a second hearing regarding the solar farm on Tamburlin property at 5 PM, providing that Sustainable Strategies has more information and a representative that can be present.

The Fox Township Planning Commission has reviewed the following subdivisions and recommended them for approval:

Carrie Overturf (ETAL) is subdividing a .684-acre parcel from their property located along Meadowlark Lane. This lot will be conveyed to David and Diane Gillen as an extension to their property. Form B waiver has been included. A motion was made by Matt Pontzer, seconded by Randy Gradizzi to approve this subdivision as presented. Motion carried.

Joe and Cindy Gradizzi are exchanging small parcels of their land located along Toby Road with Mark Quagliani. Lots 1 and 4 are to be conveyed from Quagliani to Gradizzi. Lots 2 and 3 are to be conveyed from Gradizzi to Quagliani. All of the newly created lots will be conveyed as lot extensions. Form B waivers have been included. A motion was made by Matt Pontzer, seconded by Dave Mattiuz to approve this subdivision as presented. Motion carried with Pontzer and Mattiuz in favor. Randy Gradizzi abstained from voting since Joe is his brother.

Chairman Mattiuz announced that applications for the annual Fox Township/Greentree Landfill Scholarships are still available at the Township office or online at [foxtownship.com](http://foxtownship.com). To be eligible for either of these scholarships the student must have resided in Fox Township on a full-time basis and graduated from a high school within Elk County, plan to continue their education in any science, environmental or engineering program of study within a state university or technical program and be in at least their second year of post-secondary education. Deadline to submit applications has been extended to August 9, 2024.

Rob Singer requested to attend "Aging Water Infrastructure" class to be held August 20th, 8 AM to 11:30 AM in DuBois. A motion was made by Randy Gradizzi, seconded by Dave Mattiuz to approve this Rob's request. Motion carried.

The following use of facilities applications have been submitted for approval:

Benefit Volleyball Tournament, August 18<sup>th</sup> 8AM -?

A motion was made by Dave Mattiuz, seconded by Matt Pontzer to approve this application as presented. Motion carried.

**The following bills were submitted for approval for payment:**

From the General Fund, check #29856 thru check #29901 in the amount of \$33,393.19

From the Landfill Fund, check #2276 thru check #2282 in the amount of \$19,139.04

From the State Fund, check #3227 in the amount of \$17,398.98

From the Toby Water account, check #1587 thru check #1597 in the amount of \$5,873.66

For a TOTAL of \$75,804.87

A motion was made by Matt Pontzer, seconded by Dave Mattiuz to approve the bills as presented. Motion carried with Pontzer and Mattiuz in favor. Randy Gradizzi was in favor of the motion but abstained from check #29857 and check #1592 to St. Marys Water, as he sits on the Board.

**OTHER BUSINESS**

Randy Gradizzi announced that a pre-construction meeting for the Cherry Run project will be held on August 8<sup>th</sup> at 1 PM at the Township Building.

With no further business to discuss, a motion was made by Randy Gradizzi, seconded by Matt Pontzer, to adjourn this meeting at 6:17 PM. Motion carried.

The next meeting will be held September 4, 2024 at 6 PM at the Municipal Building.

## ZONING HEARING for CONDITIONAL USE

The Fox Township Board of Supervisors conducted a Conditional Use Hearing on August 7, 2024 at 5:30 PM as requested by Sustainable Strategies 2050, Inc. to construct a ground mount solar farm on the Tamburlin property off of the Old Shawmut Grade Road. Those present: Dave Mattiuz, Matt Pontzer, and Randy Gradizzi, supervisors, Kathy Dowie, secretary-treasurer, Rob Singer, Amy Cherry, newspaper reporter, Steve Bauer, Pete Bauer, John Kemmerer, Tom Bauer, Fred Bauer, Shawn Sheeley, Pat Sheeley, Julie Smithbauer, Mark Tamburlin, Steve Tamburlin, John Tamburlin, Chris Stewart, Gary Stewart, Scott Tamburlin, Deanna Tamburlin, Amy Jo Foote, Mark Quagliani, Bob Mattiuz, Cheryl Ruffner, Don Ruffner, Perry Casper and stenographer Brittany Beaver. Tom Carroll of Sustainable Strategies was present remotely via speaker phone.

The following comments and questions were posed to Tom Carroll regarding the proposed project to place a solar farm on the Tamburlin property off of the Old Shawmut Grade Road.

Tom Carroll stated that Sustainable Strategies had received initial approval from West Penn to install the proposed solar farm which is intended to produce 2-5 mega watts of power. Matt Pontzer asked if they could provide a copy of that agreement. Carroll responded that he only had an email confirmation but would provide that if he was able.

Dave Mattiuz asked if Sustainable Strategies had direct access to the power line or will they need right of ways. Carroll responded that they would have to determine that when they get on site. Matt Pontzer stated that they would need a 25-foot right of way to the power line. Carroll responded that they would get whatever is required but that will be determined when they are on site. Sustainable Strategies has not been on the site as of yet. They have only viewed maps.

Tom Bauer posed questions to Carroll about environmental concerns including wildlife, the watershed and having to clear cut the area. Carroll responded that they would work with DEP to get the necessary permits and do what is required. Bauer was also concerned about contamination if a panel breaks and asked if they will be maintained regularly. Carroll responded that they would be maintained. Bauer asked what happens at the end of the 20-year lease, to which Carroll responded that the property owner would take back the land. Dave Mattiuz pointed out that the Township's ordinance does address the decommissioning process. Bauer asked if the Township would get a royalty from this project to which Mattiuz replied, no.

John Kemmerer asked if they would be using the Shawmut Grade Road as access to the site. As a property owner along that road, he stated that he has expenses in to maintain that road. If it is damaged, who will be responsible for repairs and maintenance? Carroll responded that they will most likely use that road as access, but that has not yet been determined. If they use it, they will maintain it. Apparently, there are issues with the ownership of the road, however.

Tom Bauer asked where on the property would the solar farm be located? Carroll was not sure, as they have not yet been on site. Bauer also asked how much traffic there would be in the course of maintain the solar farm, once constructed. Carroll stated that there would be minimal traffic once construction was completed.

Steve Bauer asked if noise will be a problem at the point where the DC power is converted into AC power and where the point of that conversion will be located. Carroll responded that the location has not yet been determined but felt that the noise would be minimal. Dave Mattiuz pointed out that the ordinance requires that a noise study shall be done and that the noise level cannot exceed 45 decibels.

Perry Casper expressed a concern with environmental issue, in particular the radiation levels put off by solar farms. He was also concerned about the effect it will have on surrounding property values. Carroll had no answers for these questions. Dave Mattiuz asked Carroll how many of these solar farms had he put in before. Carroll stated that this was his first project but the company had put in 70 other farms. This is the first in Pennsylvania though. Carroll could not answer other questions posed by those in attendance, including what type of material the panels were made of and whether they were high efficiency panels or low cost. Randy Gradizzi searched online and found that solar panels put off low levels of radiation, similar to that of a fluorescent light bulb.

With so many unanswered questions, Randy Gradizzi suggested that another hearing be scheduled when the Mr. Carroll had more answers and could be present. The hearing adjourned at 6 PM.