

**WEST DEER TOWNSHIP PLANNING COMMISSION MINUTES  
MAY 27, 2021 (Live and Via Zoom)**

The Meeting was called to order with the following members in attendance:

John Butala, Patrick Stark, Robert Bechtold, Alan Banks, Suzanne Garlena, Kathy Rojik and Mark Schmidt

Absent Members: None

Other Attendees: William Payne (Code Enforcement Officer)  
Sandy Shoup (Shoup Engineering)  
Gavin Robb (Solicitor)  
Dorothy Moyta (Zoning & Planning Administrator)

Applicant Presenters: Brian Jeffrey, Jeffrey Plan of Lots

Robert Feree, Landmark Properties Group, 910 Flex Bldg.(via Zoom)  
Jonathon Garczewski,P.E., Gateway Engineers, 910 Flex Bldg.(via Zoom)  
Scott Kurtz, Kurtz Architecture, 910 Flex Bldg. (via Zoom)

Matthew Schmidt, Hampton Technical, Smullen Property  
Rich Hollenbaugh, Smullen Property

Dave Hennon , 41A Blue Row, Elevated Properties

Manny Johnson, Vice President, Olympus Energy  
Melissa Southern, Stahl Sheaffer Engineers, Olympus Energy  
Taige Rosendal, Acoustical Control, Reg. Acct. Mngr, Olympus Energy  
Joe Buckenderfer, Michael Baker Corporation (for Olympus Energy)  
Brian Dillemath, Olympus Energy  
Blaine Lucas, Legal Representative, Olympus Energy  
Scott Cleveland, Regulatory, Olympus Energy  
Kimberly Price, Olympus, Communications Director

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**Outline and Order of Meeting**

1. Approval of April Minutes
2. Subdivision: Jeffrey Plan of Lots
3. 910 Flex Use Building: Building Updates
4. Smullen Property – Relocation of “Round the Corner” Restaurant – Site Plan Review
5. Cell Tower: 41A Blue Row: Elevated Properties
6. Gas Wells: Leto and Dionysus – Olympus Attending

## **Approval of Meeting Minutes**

The April Minutes were unanimously approved.

## **Subdivision – Jeffrey Plan of Lots**

Mr. Shoup's comments letter dated 5.19.2021 regarding the Subdivision – Jeffrey Plan of Lots was mostly housekeeping items – all were taken under review and were not gone over at the meeting.

Mr. Jeffrey presented the Subdivision – Jeffrey Plan of Lots , one survey sheet. The planning module has been received. The following comments were made:

1. Mr. Schmidt commented that as regards sewage, there are test pit back-ups.
2. Mr. Stark asked whether there are back-ups if the existing house's leech fields fail. Mr. Schmidt said that there are additional test pits in Lot #1. Ms. Shoup said that there is also an easement.
3. Mr. Bechtold asked whether there was the opportunity to connect to public sewage on the lot and Mr. Jeffries a said that no there is no access and he will so note this on the survey.

Conditions for Approval:

1. Address and meet all requirements/ comments on Mr. Shoup's letter dated May 19, 2021.
2. Note on plan that there is no access to public sewage on lot.

A motion was made by Mr. Butala and seconded by Mr. Stark to approve the Subdivision – Jeffrey Plan of Lots with the conditions stated. The motion was unanimously approved.

## **910 Flex Use Building**

Mr. Garczewski said that he has made changes to the landscape plan, the building elevations, and the location of the trash enclosure. Drawings changed in response to Mr. Shoups comment sheet of April 2021 were submitted and include all 22 sheets that were part of the original set submitted. Also revised and resubmitted was The PCSM report. (Post Construction Stormwater Management Report), a colored Site Presentation Plan (C101) that better showed the planting patterns, and a colored drawing that showed where the loading dock area was being depressed and evaluated.

Mr. Kurtz submitted an updated building elevation. He pointed out the signage, stone veneer base, fenestration, and stone veneer - faced columns.

1. Ms. Shoup commented that items #2, 3, and 4 are being work on.

2. Mr. Banks asked what had happened to the Red Maples in the original design. Mr. Payne said that he had suggested the use of a tree with less spread in light of the location.

Conditions for Approval:

1. Address and meet all requirements/ comments on Mr. Shoup's letter dated May 21, 2021.

A motion was made by Mr. Stark and seconded by Mr. Bechtold to approve the Flex Use Building. The motion was unanimously approved.

### **Smullen Property - Relocation of Round the Corner Restaurant – Site Plan Review**

Mr. Matthew Schmidt represented Mr. Smullen and presented the project at 2030 Saxonburg Rd. 3 sets of plans were submitted: Site Development Drawing Set, Erosion and Sedimentation Control Drawing set, and Post construction Stormwater Management Set. Also submitted was the E & S Control Module. The existing house on the site is being renovated into a restaurant with 25 parking places. Zoning is C-2. Landscaping is south and west of the property and there is a detention pond southwest of the property. The dumpster is in the southern portion of the parking lot. Restaurant hours are 7:00 AM to 9:00 PM and features the grab n go breakfast. The restaurant will be both dine in and take out. Comments were as follows:

1. Mr. Bechtold asked if there was enough parking to support the restaurant and if people could easily turn around in the parking lot.
2. Mr. Hollibaugh said that this is not a primarily sit down restaurant. There are only 8 seats inside. It is mostly take-out. There is the original house, the breezeway, and 2 ADA restrooms.
3. Mr. Bechtold wants to make sure that there is enough space on the site for additional parking area future use but is ok with the current amount.

Conditions for Approval:

1. Address and meet all requirements/ comments on Mr. Shoup's letter dated May 21, 2021.

A motion was made by Mr. Bechtold and seconded by Mr. Stark to approve the Smullen property – Relocation of Round the Corner Restaurant – Site Plan review. The motion was unanimously approved with Mark Schmidt abstaining from vote.

## **Cell Tower – 41A Blue Row: Elevated Properties**

Mr. Hennon of Elevated properties presented the proposed cell tower at 41 Blue Row. Comments were as follows:

1. Mr. Schmidt asked whether the cell tower had been reviewed by the FAA. Mr. Hennon said that yes it had been reviewed at 160' height but the FAA has a limit of 157' so the drawings will be resubmitted.
2. Mr. Hennon said that the sound produced by the cell tower will not be higher than 60 decibels.
3. Mr. Robb asked whether they had submitted the propagation study. Mr. Hennon said that it had been done by AT&T and Verizon but had not been submitted to the Township. Mr. Robb said that this was a fundamental part of the application.
4. Mr. Robb asked whether Structural and wind calculations and drawings had been submitted. Mr. Hennon said that he will submit those.
5. Mr. Schmidt said that they need to review the ordinance and submit the correct information/ data. He said that the Planning Commission cannot provide a blanket approval without the correct information.
6. Mr. Hennon said that the engineering design is pretty far down the road and that they intend to submit the correct data and move forward with the project.
7. Mr. Schmidt confirmed that Elevated properties needs to provide a landscaping plan.
8. Ms. Shoup referred to Mr. Shoups' review letter of May 24, 2021 and said they need to show distances as required by Code Section 210-120.
9. Mr. Hennon said that there will be an engineering letter provided that shows the 58' to the Railroad line and the 50' radius.
10. Mr. Stark asked about Stealth technology.
11. As regards screening, Mr. Hennon said that they will provide latticed and painted fencing.
12. Mr. Schmidt said that a 3D rendering was needed to show how this cell tower impacts the neighborhood.
13. Mr. Hennon said that they could show the 3D rendering from various locations. One would be from across the railroad tracks.
14. Mr. Payne said that several registered letters from Elevated Properties had been received by local residents and that they ere excited to get the additional cell coverage. #3 Fire

company wants to see if the cell tower could provide repeaters to help with emergency and ambulance calls.

Keith Galbreath of 5 Blue Row lives at the beginning of Blue Row. He is an engineer and had some comments and questions. Drawing C-1 Overall Site Plan needs to show the Railroad Tracks and Airport locations. Has the Railroad been notified of this proposed cell tower ? Does the height of the cell tower include the lightening rod ? Underground utilities exist from Joe Micale's property to the cell tower site. Mr. Galbreath would like to see a coverage area map for the proposed cell tower.

Mr. Schmidt asked if anyone had done a 1 call and Mr. Hennon replied no.

Mr. Robb said that an extension letter is needed.

A motion was made by Mr. Bechtold and seconded by Mr. Stark to table the Cell Tower: 41A Blue Row: Elevated properties till the next meeting. The motion was unanimously approved.

### **Gas Wells: Leto and Dionysus – Olympus Attending**

Manny Johnson, VP for Olympus announced the attending members the group (See Attendees List) Presentations and comments were made as follows:

Taige Rosendal, Acoustical Control, Regional Account Manager, reviewed the Sound Impact Analysis Summaries for both the Dionysus and Leto Wells which were submitted 5/25/2021. The Dionysus Well will have an overall ambient sound level of 65 Decibels, and the Leto well will have an overall ambient sound level of 65 Decibels. He discussed some overall points and answered questions as follows:

1. Mr. Payne asked whether the sound modeling took into account all of the equipment and Mr. Rosendal said yes.
2. Mr. Rosendal stated that the sound models take into account topography but not vegetation.
3. Mr. Butala asked whether the sound modeling has been validated ie have they run programming and compared to some real life models. Mr. Rosenda said that yes they and the data was very close with variances for weather conditions.
4. Mr. Butala asked whether Mr. Rosendal had done coefficients between predictions and real life and Mr. Rosendal said that he would look into it.
5. Mr. Schmidt asked when drilling will start and Mr. Rosendal said Dionysus 1.23.
6. Mr. Schmidt asked whether any ambient sound testing had been recorded and Mr. Rosendal said no because of the way the ordinance was written.
7. Ms. Rojik asked whether the 65 decibels as as loud as a fire whistle and Mr. Rosendal said no.

8. Ms. Rojik asked whether Olympus might change their schedule to doing this work at a time when there is more vegetation on the trees. Mr. Johnson said that a lot goes into the operations schedule – dollars, land exploration and capital. They work separately with the individual land owners.
9. Ms. Rojik asked Mr. Payne whether the complaints will go through him and Mr. Payne said it all depends.
10. Mr. Johnson said that Olympus will be proactive in answering all complaints. Mr. Payne asked whether Olympus will self-enforce. Ms. Garlena said that Olympus is able to mitigate noise with acoustical curtains.
11. Mr. Payne asked what was the common noise level on a street and Mr. Rosendal said that 45-50 decibels is the range. A dog barking is 80 decibels.

Manny Johnson, VP Olympus, said that the schedule for the Dionysus well was :

1. September 2022 - Construction
2. January 2023 - Drilling
3. April 2023 – Production
4. May 2023 – Completion

Manny Johnson, VP Olympus, said that the schedule for the Leto well was :

1. September 2027 - Construction
2. December 2027 - Drilling
3. June 2028 – Production
4. August 2028 – Completion

Discussion was as follows:

1. Mr. Payne asked what was the maximum amount of wells on each pad. Mr. Johnson said that was 10 on each pad. Mr. Payne said that there was 9 on Dionysus and 5 on Leto. Mr. Johnson said that that was not correct and it depends upon the schedule.
2. Mr. Butala was concerned about the amount of propylene oxide going in to the ground and spoke at length about it. There was some back and forth between Mr. Butala and the Olympus team concerning the recovery of the propylene glycol that was used in drilling. Mr. Butala felt that recovery was only at 10% and Mr. Cleveland said that much more is recovered over time. Mr. Johnson pointed out that this is highly regulated by the DEP.

3. Mr. Schmidt asked what would impact the schedule and Mr. Johnson said that sometimes getting the leases signed can take longer and also schedules can also accelerate ahead. Ms. Price will communicate all schedule changes with Township.

Olympus' traffic consultant, Ms. Melissa Southern, Stahl Sheaffer Engineering, went over all his responses in a letter dated 5.25.2021, in response to the comments made by Trans Associates in their letter dated 5.4.2021. Discussion was as follows:

1. Mr. Schmidt noted it was his understanding that any road repairs are not required due to the temporary nature of the truck traffic wells.
2. Mr. Goetz pointed out that Olympus could have a flagging operation on Oak Rd during the peak hours/ duration of traffic. He is not as concerned with trucking in of the water but is more concerned with the larger sand trucks. 110 trucks a day may need to have a flagging operation.
3. Mr. Johnson said that they would work with the County to use an escort vehicle if they need to.
4. Mr. Schmidt said that there is no passing on Middle Road extension.

The meeting was opened up for resident questions and concerns. Comments were as follows:

1. Marcia Brissett of 37 Cor-Bri-Wood Lane wants to understand how the containment works with the water in the fracking process.
2. Jack Rearick of 37 Cor-Bri-Wood Lane is concerned about Middle Rd. Extension as cyclists use this road. A flagger would not be helpful. With all the trucks, how can we ensure safe passage of these cyclist ?
3. Kara Randza, 210 Locust St. lives 650' from Leto well and has 3 children. Her concerns are air and water pollution. We were told that the Planning Commission would protect us and we cannot stay if the wells go through.
4. Jonathan Randza of 210 Locust St. directed his comments to Ordinance 210-54 B which allows 50 Decibels at the edge of the Industrial zone. Did Ambient study look at the interference with the ability to sleep, etc.? Light emitted from the sight is another concern; what are the footcandles allowed next to an Industrial zone. He is also concerned about the vibrations as they are only 650 ' from the site.
5. Tim Resciniti of 1006 York Way wants to know if the Conditional use can be extended for 8-10 years. He feels that they are bookmarking permits. Families that live the closest are affected the most. It feels that we are being affected by the elected supervisors of 2012 and the Ordinances that the solicitor enacted in a double secret meeting. He feels that the Zoning Board needs to look at pre-existing exemptions as regards the 650'.

6. Mary Calavoda of 702 Crystal Spring Ct. asks with regard to sound have they experienced this near property lines. She's also concerned about keeping the light downward, using light sleeves, the sound barrier wall, baseline testing for the well water, safety record for Olympus, local water entities involved, and whether Richland and Hampton Townships have been notified..
7. Marcia Brissett of 37 Cor-Bri-Wood Lane felt that the Township affords unequal protections for residents and wonder how the ordinances have been written..
8. Kathy Westman of 104 Steeplechase Circle is a nurse and she asks isn't it the job of government to protect the people? Has the Planning Commission taken a tour of Washington County and seen how things are there now ? The State is now looking at setback requirements being larger. The gas wells cause nosebleeds, Ewing sarcoma, and asthma. There are endocrine disrupting chemicals that cause cancer and fertility issues. The chemicals remain in the air and soil and are associated with health risks.
9. Jon Detwiler of 5723 Solway St. is a professor at Carnegie Mellon and was asked by CROWD to make this power point presentation. Jon is a retired engineering professor from CMU and he recommends the Supervisors disproving the gas wells. If you grant these permits, this will be last chance to have any say. He showed the 2 mile laterals that go through the mine pools filled with corrosive water. This is the typical well bore. The gas wells leak into the air through the ground water. More than 1 in 7 wells leak during flaring and there is a loss of integrity. Coal mine acid water dissolves the gas well cement and cause leaching of toxic fluids. It doesn't matter if you understand the process, you can only make a decision on where the wells are placed.
10. Laura Henderson of 204 Locust St. says that the questions asked of Olympus are not frivolous. She feels that Olympus is changing the number of wells, using Covid as an excuse, and she is also concerned about hearing jake breaks, and ongoing mine subsidence.
11. Jo Resciniti, of 1006 York Way showed that on a ESCGP3 notice of intent for coverages for the Leto Well pad, Olympus had 17 pages of 86 violations from January to May of 2019. From May 2019 to April 2021, the updated violations include 172 notices of violations. This is just from 21 wells on 6 well pads. In April 23019 the DEP reported a release that was carried over an area. The Township has a duty to protect the residents.
12. Gary Torrick of 1531 Palmer Way is mainly concerned about safety and evacuation. CROWD has posted 2 ½ pages of questions and has only received a small answer about a spill. He is concerned about major explosions and hazmat training.

Olympus has given a 1 month extension until July 31, 2021. A motion was made by Mr. Butala to adjourn the meeting and seconded by Mr. Stark.

The June meeting will be on June 24, 2021. It will be conducted both in person and via Zoom. The meeting link will be posted on the web site.