

WEST DEER TOWNSHIP PLANNING COMMISSION MINUTES
June 22, 2023

The Meeting was called to order with the following members in attendance:
Alan Banks, Patrick Stark, Rich Hollibaugh, Jake Oresick, and Mark Schmidt.

Absent Members: Robert Bechtold, Kathy Rojik.

Other Attendees:

Dorothy Moyta, West Deer Township Zoning & Planning Dept.
Joseph Shook, Assistant Township Manager, Zoning Officer
Scott Shoup, Shoup Engineering
Gavin Robb, Solicitor
Ryan Dailey, Project Manager, CEC
Jeremy Burton, Hyperion, VP Construction
Brian Dillemath, Olympus, Regulatory Advisory
Blaine Lucas, Olympus Energy

Outline and Order of Meeting

1. Approval of May Minutes
2. Voting here
3. Deer Creek Interconnect and Pipeline: Conditional Use
4. Deer Creek Interconnect and Pipeline: Land Development
5. Zoning Ordinance & Zoning Map Revisions/ Updates
6. Comments/Questions from the Public
7. Comments/Discussion by the Planning Commission Members/Staff/ Adjournment
8. Adjournment

Approval of Meeting Minutes

The May Meeting Minutes were approved with the exception of correcting June's meeting date.

Voting for new Chairperson and Vice Chairperson

Rich Hollibaugh nominated Patrick Stark for new Chairman of the Planning Commission. Voting to elect Patrick Stark was unanimous.

Mark Schmidt nominated Alan Banks for new Vice Chairman of the Planning Commission. Voting to elect Alan Banks was unanimous.

Deer Creek Interconnect and Pipeline – Conditional Use and Land Development

Mr. Lucas said that the main outstanding issues were the street tree planting and a few legal issues.

Mr. Dailey showed the landscape plan with 13 street trees proposed and the existing vegetation to be trimmed. There are 7 red maples and 6 sugar maples.

Mr. Banks interjected that he didn't want them to clear a viable existing tree for something new, as some trees could serve as infill. Mr. Dailey said that they had fully reviewed the existing vegetation.

Mr. Shoup went over Hyperion's responses in his comments letter of 5.25.2023. Mr. Dailey said that they are working with Eastern Gas regarding the cladding for the buildings.

Mr. Dailey went over Josh Wiegand's question as to whether the only access to the interconnect is through Allison Park contractor's property. Mr. Dailey said that EMS and the Fire Companies will all have keys to access the locked gate leading to the Interconnect as well as the owner and Hyperion.

Also addressed was how the Interconnect use will impact other changes for development on the parcel. Mr. Lucas said that the stormwater was part of the riparian buffer; the out flow pipe with the riparian buffer is allowed. Also, the interconnect and pipeline is not so much a lease as it is an easement.

Some Comments, Questions, and Answers were as follows: (*Hyperion/ Olympus answers and remarks in italics.*)

1. Mr. Hollibaugh asked whether it's typical to have one way in and one way out of interconnect sites. *Mr. Dailey said yes, it's typical. Hyperion typically has a 12'-16' wide access with pull-offs.*
2. Mr. Schmidt asked if Hyperion will maintain the access road. *Mr. Lucas said yes that they will maintain the interconnect site and access road. Mr. Dailey said that this shows in the agreement.*
3. Mr. Shoup asked who will own the access road. Mr. Lucas said that Hyperion will own and Eastern Gas will operate.
4. Mr. Hollibaugh asked if the Fire departments will need any special equipment to access the Interconnect. Mr. Dailey said that everything is regulated by valves. Mr. Robb said that Hyperion has made a commitment to meet with first responders.

Comments/ Questions from the Public

1. Lorraine Shuey of 147 Bryson Rd. questioned how impact fees from the gas wells could be spent. She discussed paperwork and gave some examples of fees collected in other places.

First motion by Mr. Schmidt and second motion by Mr. Banks to **RECOMMEND APPROVAL**, voting was unanimous of the Deer Creek Interconnect and Associated Pipeline - Conditional Use with the following conditions:

1. Any equipment not shown will require a resubmission to the Township.
2. This approval is subject to obtaining a grading permit for the Interconnect and Pipeline.
3. Provide a developer's Agreement and Bond for Improvements.
4. Satisfy all comments in the Scott Shoup Engineering letter dated 5.25.2023.

First motion by Mr. Schmidt and second motion by Mr. Oresick to **RECOMMEND APPROVAL**, voting was unanimous of the Deer Creek Interconnect and Associated Pipeline - Land Development Use with the following conditions:

1. Any equipment not shown will require a resubmission to the Township.
2. This approval is subject to obtaining a grading permit for the Interconnect and Pipeline.
3. Provide a developer's Agreement and Bond for Improvements.
4. Satisfy all comments in the Scott Shoup Engineering letter dated 5.25.2023. g

Zoning Ordinance/ Zoning Map Revisions/ Updates

Discussion ensued regarding the Zoning Ordinance to include rezoning, short term rentals, AirBNB's, and additional residences on the same parcel for family/ guesthouse use.

It was determined that the existing 210-121, Guest House on Same Lot, p.100 provides for a guest house on the same parcel.

Mr. Robb said that the Zoning Ordinance is a living document and always changing; it doesn't have to be perfect to approve.

First motion by Mr. Schmidt and second motion by Mr. Banks to **RECOMMEND APPROVAL**, voting was unanimous to adopt the Zoning Ordinance and Zoning Map (Updated June 8,2023 Draft) with the following conditions:

1. Include amendment for Short Term Rental.
2. Do not include Christonia Rd. suggested Rezoning.

Adjournment

First motion by Mr. Oresick and second motion by Mr. Schmidt to **ADJOURN THE MEETING**. Voting to adjourn was unanimous.

The July Planning Commission meeting will be on July 27, 2023. The meeting time and agenda will be posted on the web site.