

WEST DEER TOWNSHIP PLANNING COMMISSION MINUTES

July 25, 2024 @ 7:00 p.m.

**West Deer Township Municipal Building
109 East Union Road, Cheswick PA, 15024**

The Meeting was called to order with the following members in attendance:
Alan Banks, Robert Bechtold, David Harrison, Rich Hollibaugh, Jake Oresick, and Patrick Stark

Absent Members: Dan Maltese.

Other Attendees:

Joseph Shook - Assistant Township Manager/Zoning Officer
Ashley Puchalski - Township Solicitor, Tucker Arensberg
Scott Shoup - Township Engineer, Shoup Engineering
Leah Valentic - Local Government & Land Development, Range Resources
Max Oravetz - Security Manager, Range Resources
Karl Matz - Civil/Environmental Engineering Manager, Range Resources
Tim Daudet - Contract Surface Land Agent, Range Resources
Max Junker - Range Resources Legal Counsel, Babst Calland
Zack Stehle - Township Traffic Engineer, Trans Associates

Outline and Order of Meeting

- A. Approval of June 27, 2024 Minutes
- B. Comments from Supervisors
- C. Old Business

- 1. **Caro Brandon 18117 Well - Conditional Use & Land Development**
 - 1(a). Applicant Presentation
 - 1(b). Engineer/Staff Comments
 - 1(c). Public Comment
 - 1(d). Planning Commission Discussion
 - 1(e). Planning Commission Recommendation

- D. Public Comment
- E. Comments/Discussion by PC Members and/or Staff
- F. Adjournment

Approval of May 23, 2024 Meeting Minutes

The June 27, 2024 Meeting Minutes were approved with some comments. Mr. Stark commented on page 3 he said “no Zoning Ordinance is perfect but you must consider the intent.” Also, he would strike 3 Minutes maximum under Public Comments section as that does change depending on the issue at hand. Mr. Hollibaugh said that the Public Comments seem to be somewhat condensed, but didn’t have specifics. Mr. Stark said in the future comments that were left out could be added back in. That’s why this step of approval is being taken. Motion by Mr. Bechtold and seconded by Mr. Hollibaugh to **RECOMMEND APPROVAL** of the amended minutes; voting was unanimous.

Comments from Supervisors.

No comments from Supervisors.

Old Business

Caro Brandon Well Pad - Conditional Use & Land Development

Mr. Stark has a conflict of interest and recused himself.

Leah Valentic for Range Resources gave a broad recap of the project. Since the last meeting, Range Resources finished the Traffic Impact Study conducted by Stahl Sheaffer Engineering and has provided that study to the Township. Range Resources has also updated their landscape plan, and created a diagram to show features on the well pad during various phases of the operation.

Karl Matz of Range Resources discussed the increased the screening around the Accessory Use pad and overall site to decrease visibility from the road. Mr. Matz handed out operational diagrams of the air rig and other associated equipment to be used in various stages of production.

Scott Shoup stated he didn’t have a lot of new input to provide. He didn’t review the traffic study in depth, but did say the study ties in with his last comments about the structural integrity of Rittman Road needing to be evaluated and improvements may need to be made. According to Mr. Shoup, Range Resources will pursue Rittman Road improvements in the land development phase, and the road improvements will need to be resolved before land development approval.

Zack Stehle stated his firm had begun reviewing the Traffic Impact Study submitted by Range Resources, but their review was not complete. Their review would be finished in time for the public hearing scheduled for August 6. Mr. Stehle agrees with Mr. Shoup regarding Rittman Road improvements, but otherwise his comments are mostly housekeeping items. A formal review letter will be provided to the Township prior to the public hearing.

Ms. Puchalski stated the Township received an extension until the end of August to begin the public hearing for the Caro Brandon well pad.

Public Comment - Caro Brandon Well Pad

1. **Mary K. Kalivoda, 702 Crystal Spring Court** – Commented on the setback requirements of the ordinance, setback measurements, and how she feels the Range Resources application doesn't meet the ordinance requirements.
2. **Victoria Austin, 19 Hemlock Street** – Stated how Range Resources has had a negative impact on Cecil Township.
3. **Josh Wiegand, 165 Squirrel Hollow Road** – Commented on the status of the existing house on the property and whether it would be torn down.
4. **Nicole Howell, 42 Glasgow Road** – Stated concerns about here future property value and asked for the application to be denied.
5. **Jack Rearick, 37 Corbriwood Lane** - Asked that all requirements and conditions of the current zoning ordinance be met. Oil and gas companies should not have precedence over other uses.

Comments/ Discussion by Planning Commission Members and Staff

1. Mr. Banks stated his interpretation of ordinance section 21.24, is that it requires three levels of screening and Type A screening as this is an industrial use in a residential area. He doesn't see the 6' high screening that the ordinance requires. Discussion ensued.
2. Max Junker of Babst Calland stated the topic of screening and whether oil and gas production is an industrial use or agricultural use has been litigated. Discussion ensued.
3. Mr. Matz said Range Resources will provide screening shown, and the topsoil mound by the accessory pad is there for screening as it's a certain height, and the topsoil mound can be moved if the Planning Commission deems it necessary. Sound walls will serve as their visual screening during production operation phase and existing vegetation will be sufficient around most of the site. The goal is to create a natural setting/look – not an industrialized look.
4. Mr. Banks stated the gravel pad should be screened.
5. Mr. Hollibaugh asked if the topsoil stockpile would be removed after production was over. Range Resources said yes.
6. Mr. Banks cited the ordinance as requiring screening with all non-residential uses and the screening currently shown with the Caro Brandon Well Pad doesn't comply.
7. Mr. Hollibaugh asked about industrial use being Range Resources' interpretation or a legal precedent. Mr. Junker cited legal precedent. Discussion ensued.
8. Mr. Banks again stated screening is required for any non-residential use. Mr. Junker disagreed since oil & gas has been deemed an agricultural use in previous legal cases. Discussion ensued.
9. Ms. Puchalski stated this topic fell under land development and not conditional use. Mr. Shoup said he was going to review the landscape plan again.
10. Ms. Pulchalski said that ideally it would be best to have conditional use and land development recommendations together, but since screening is an issue it's best to issue a conditional use recommendation only tonight. Range Resources can return for land development next month.

11. Mr. Oresick asked if there needs to be a conditional recommendation tonight. Ms. Puchalski said yes, and any conditions the Planning Commission would recommend that should the Board of Supervisors vote to approve.
12. Mr. Hollibaugh asked if the traffic impact study review was complete and Mr. Stehle said no. Mr. Hollibaugh asked about the noise study and asked if Mr. Shoup would review it. Joseph Shook said no, the Township has a third party traffic engineer, but currently does not have a third party sound engineer. Mr. Shook said the Supervisors could decide to hire a third party sound engineer to review the sound study.
13. Mr. Hollibaugh asked if Mr. Shoup reviewed the sound study. Mr. Shoup said he reviewed it and it mostly discussed not exceeding the 65 decibel noise level.
14. Mr. Matz said the sound study was discussed more at the first Planning Commission meeting. They were in compliance but were going to add sound walls in addition.
15. Mr. Hollibaugh asked if the accessory pad was going to be there for the long term, and Mr. Matz said yes. Mr. Hollibaugh said that the 650' setback was previously discussed as being from the limit of disturbance and they talked about redesigning the front area. Discussion ensued.
16. Mr. Hollibaugh asked Mr. Banks whether he considered the soil stockpile a screening element to which Mr. Banks said it's not being used as one on the landscape plan. Discussion ensued.
17. Mr. Hollibaugh asked how it's determinee how many wells are drilled at a time with four proposed currently. Mr. Matz said it's partially determined by the capacity of the midstream's pipeline and the length of the laterals.
18. Mr. Hollibaugh asked about road bonding issues and Ms. Puchalski said that those items would be talked about during land development, and Mr. Robb and Mr. Junker have come to an agreement regarding road bonding.
19. Mr. Hollibaugh asked how the gas was going to be brought to the market. Mr. Junker said Range Resources doesn't have an in-house midstream company, and that element is contracted to another company to build the pipeline. Discussion ensued.
20. Mr. Hollibaugh asked about the approximate four mile water pipeline being proposed to supply water to the site. Mr. Matz said there would be no overlap between the gas pipelines and the overland water line. Discussion ensued.
21. Mr. Hollibaugh commented on the traffic impact study being conducted with the assumption of zero water trucks.
22. Mr. Harrison asked whether electric or diesel pumps were going to be used, and Mr. Matz said electric. Mr. Harrison asked how long the sound wall would stay up. Mr. Matz said until production was complete.
23. Mr. Harrison asked what the SU-40 was that was indicated on the traffic impact study. Mr. Matz said that this had to do with the axles on the vehicle; the SU-40 was like a dump truck, box truck, or moving truck.
24. Mr. Harrison asked whether the Township had shared with Range Resources any of the previous conditional use approval conditions placed on the Tyche well pad. Mr. Shook said no, but those conditions are a public document. Discussion ensued.
25. Mr. Harrison asked if the widening of Rittman Road could be a condition. Mr. Junker said it OK to widen as long as they can stay within the right-of-way of the road.

26. Mr. Harrison asked what the approximate depth of the wells would be for Caro Brandon that they would be drilling. Mr. Matz said about 5,000 feet.
27. Mr. Harrison asked about a hissing sound often heard even when drilling is complete. Mr. Matz said that is likely gas moving through the pipes at the production pad.
28. Mr. Banks brought everyone's attention to the Appendix C which is the conditions of approval for the Tyche well pad.
29. Mr. Hollibaugh said they should add their own conditions and let the Supervisors review the other 32 conditions from the Tyche Well.
30. Ms. Puchalski said the Planning Commission should add their own conditions and edit the conditions related to Tyche that are applicable.
31. Mr. Hollibaugh asked about fire safety. Ms. Puchalski said that there are conditions that cover emergency contacts and fire safety. Mr. Wiegand said they've had contact with Range Resources regarding emergency contacts.
32. Ms. Puchalski said the recommendation letter to the Supervisors will be introduced as part of the August 6 public hearing. Mr. Junker said Range Resources would review the recommended conditions.
33. Mr. Hollibaugh asked that for the first condition the topsoil pile should be used as the setback measuring point. Second, the traffic impact study should be completed. Third, the sound impact study should be reviewed by a separate third party group.
34. Mr. Harrison said the sound review could cost the Township a lot of money. Mr. Hollibaugh asked who pays for that. Ms. Puchalski believes it's the Township who would pay for it, and Mr. Shook confirmed that it would be the Township paying.
35. Mr. Oresick asked if these recommendations were going to be part of an approval or denial. Ms. Puchalski recommended they attach the list of conditions in any case.
36. Mr. Hollibaugh said the Supervisors should review the Tyche conditions and amend as needed.
37. Mr. Hollibaugh said it should be noted Range Resources said they were not going to do a compressor station. Ms. Puchalski said that couldn't be a condition because Range Resources, or anyone else, could come in and apply for a compressor at any time.
38. Mr. Banks said it was important to focus on conditions in addition to Tyche's conditions.
39. Mr. Banks reviewed the conditions put forth.

Motion by Mr. Hollibaugh and seconded by Mr. Oresick to **RECOMMEND DENIAL** of the Caro Brandon Well Pad – Conditional Use. **Voting was 2-2**; Mr. Oresick and Mr. Hollibaugh voted yes, Mr. Harrison and Mr. Banks voted no, and Mr. Stark and Mr. Bechtold abstained. The motion to recommend denial of the Caro Brandon Well Pad – Conditional Use fails.

See conditions attached that were presented at the August 6, 2024 public hearing.

Mr. Shook said they don't have to vote on land development tonight as Range Resources have given an extension until the end of September for a decision on land development, and the public hearing on August 6 is just for conditional use.

Motion by Mr. Hollibaugh and seconded by Mr. Oresick to **TABLE** Caro Brandon Well Pad – Land Development until the August Planning Commission meeting.

Ms. Puchalski said that a vote is not needed with a motion to table.

Mr. Banks returned the gavel to Mr. Stark.

New Business

There is no new business.

General Public Comment

There was no Public Comment.

Comments by PC Members/ Staff

There was no additional comment.

Adjournment

Mr. Stark adjourned the meeting.