

Board of Supervisors:
Edward Latuska, Chairman
Alan Smallwood, Vice Chairman
Andrew Erie, Supervisor
Kenneth Frenchak Jr, Supervisor
Philip Wulff, Supervisor



Anthony Amendolea, Secretary/Treasurer
Michael Gallagher, Solicitor
Olsen & Associates, Engineer

Board of Supervisors
R E Gas Development Conditional Use Hearing
March 9, 2015
6:00 p.m.

Please silence all pagers and cell phones
(Emergency Responders are exempt)

CALL TO ORDER:

Chairman Edward Latuska called the R E Gas Development Condition Use Hearing, of the Center Township Board of Supervisors, to order at 6:00 p.m. The meeting was held at the Center Township Municipal Building, 419 Sunset Drive, Butler PA 16001.

ROLL CALL:

In addition to Chairman Latuska, present were Andrew Erie, Alan Smallwood and Philip Wulff; and Township Secretary/Treasurer Anthony Amendolea. Supervisor Kenneth Frenchak was absent. Township Engineer Olsen arrived at 6:05 p.m.

PURPOSE:

The purpose of this public hearing is to obtain public comment and testimony from the parties involved in the conditional use application filed by R E Gas Development, LLC. The applicant proposes constructing a Marcellus Shale well site. The property, owned by the Albert T et al Stutz Trust, is located at 5252 Brown Road (Center Township Map 060-3F41-29), Butler PA 16001. Chapter 20, Article V, Section 20-504.I of the Center Township Codification of Ordinances permits oil and gas extraction subject to all requirements set forth in the Mineral Extraction Overlay District, Section 20-5.106 et. seq. and also set forth in Article XIV, Chapter 20, Section 20-1408.A30 as a conditional use in the "R-1A", Low Density Residential District.

Public notifications were mailed Friday, February 20, 2015 to all property owners within 300 feet. The Planning Commission recommended approval at their meeting held on Wednesday, January 28, 2015. The notice of the public hearing was published in the Butler Eagle editions of Sunday, February 22, 2015 and Sunday, March 1, 2015. The property was posted on Thursday, February 26, 2015.

APPLICANT COMMENTS: Mr. Michael Venum, R E Gas Development LLC, submitted the following exhibits into the record:

1. Exhibit 1 - "Statement of Compliance"
2. Exhibit 2 - "Erosion, Sediment and Stormwater Control Plan for Oil and Gas Operations"
3. Exhibit 3 - "Conditional Use Application"
4. Exhibit 4 - "Response [in bold] to John Nath's comments"
 - A. Lot, Yard, Height Requirements 20-5.106
 - 1) Minimum Yard Setbacks:
 - a) Front yard – Two hundred and fifty feet (250') from street right of way
– *In compliance*
 - b) Rear yard – Two hundred and fifty feet (250') – *In compliance*
 - c) Side yard - Fifty feet (50'), two (2) required – *In compliance*
 - d) Accessory structures used to store explosives, gasoline, oil and other inflammables - Two hundred and fifty feet (250') – *None identified [all accessory structures used to store explosives, gasoline, oil and other inflammables will be located on the well pad]*
 - e) All other Accessory structures - Two hundred and fifty feet (250') front and rear yard (s) and fifty feet (50') side yard(s).
Exception: All structures, whether permanent or temporary, must not only meet the above "minimum yard setbacks", but also set back at least one and one half (1 Yi) times the height of the structure. – *No permanent or temporary structures are shown on the plans to indicate compliance. [The drilling rig is 145 feet high, and will be located greater than 100' from the edge of the pad. Temporary storage tanks are 30 feet high, and will be located on the well pad as well. These items will meet the required set back of at least one and one half (1-1/2 times the height of the structure.)]*
 - 2) Minimum Lot Frontage – Fifty feet (50') for purposes of establishing a right-of-way for access to the extractive industry site. – *Width of entrance is not identified. [The entrance width is 164 feet, which meets the minimum requirement of 50 feet.]*
 - 3) Site Development Standards -Water Use – Any water utilized for permitted principal overlay district or accessory uses which is drawn from underground sources must be set back more than fifty feet (50') from the closest property boundary. – *Water is proposed from a storage tank and is compliance.*
 - B. Mineral Extraction Including Oil and Gas Extraction 20-1408.A30

- 1) Wellheads, vent flames, and ventilation openings shall be set back a minimum of two hundred fifty feet (250') from all adjacent property lines and street right of ways. - *In compliance*
- 2) Wellheads, vent flames, and ventilation openings shall be set back a minimum of one thousand feet (1000') from an existing dwelling, school or church. - *In compliance.*
- 3) The wellhead, mine opening and/or ventilation opening area, shall be screened from public view by dense foliage, topography or fencing. In addition, a security fence, a minimum of six feet (6') in height, shall be erected around the perimeter of the site and maintained in good condition. - *Fence and gates are identified on plans, but no details were provided to determine compliance. Provide Specifications [After reclamation of the site, a security fence will be installed around the entire perimeter of the gravel well pad. It will be at least six feet high. A gate wide enough for trucks to enter and exit will be located at the entrance of the access door, and an emergency door will be located at the back of the pad.]*
- 4) A traffic and road condition study shall be submitted to determine the adequacy of the road network and the structural condition of the roads serving the site. - *Road Condition general report submitted by HRG Engineering. Traffic study not provided. [The road condition report submitted by HRG Engineering contains all of the pertinent information related to traffic as well, such as truck route and posted roads that will be used. Bonds will be submitted to the Township for the use of posted roads.]*
- 5) Access to the site shall not be through any residential subdivision or development and shall be from a collector or arterial road. - *In compliance.*

PUBLIC COMMENTS:

1. Mr. Robert Krantz, 5272 Brown Road: Mr. Krantz received conflicting information on well site. Is the site for shallow wells or marcellus shale wells?
2. Ms. Rhonda Riskosky, 2140 William Flynn Highway: Ms. Riskosky asked when site preparation would begin. Timeframe is between April and June. She is opposed.
3. Mr. David Czifra: Mr. Czifra asked about water shipments, when first well would be drilled, and if the road width (160 feet) would be reduced after reclamation.
4. Ms. Cathy Landin, 5134 McCandless Road: Ms. Landin asked if sound barriers are in place and how many storage tanks would be used.

BOARD COMMENTS:

1. Latuska stated that the Planning Commission recommended the approval of the conditional use. The hearing was to receive comments. The vote will take place at the Wednesday, March 11, 2015 regular meeting.
2. Erie stated water is available from Unionville Road and State Route 8. Is Rex Energy considering constructing a water line instead of using trucks?

3. Township Engineer Olsen questioned if rubber lined impoundment areas would be used to store fresh and fracing water, the noise level at the property lines, and glare from the lighting. Since the Board is considering amending the current mineral overlay ordinance, this conditional use is based on the current ordinance.

ADJOURNMENT:

Latuska motioned to adjourn the hearing at 6:40 p.m. Erie seconded. Motion carried.

Anthony A. Amendolea
Township Secretary/Treasurer

Edward G. Latuska
Chairman

Alan H. Smallwood
Vice Chairman

Andrew Erie
Supervisor

Absent
Kenneth J. Frenchak Jr
Supervisor

Phillip B. Wulff
Supervisor