

**BUFFALO TOWNSHIP PLANNING COMMISSION – REGULAR MONTHLY MEETING VIA VIDEO
CONFERENCE MAY 5, 2021**

The Regular Monthly Meeting of the Buffalo Township Planning Commission was held via Video Conference and called to order on May 5, 2021, at 7:10 p.m. by Chairman Grant McConnell. This Meeting is being recorded, if anyone is taping this Meeting, please state your name and address for the record.

Roll Call

Grant McConnell - Present
Chris Foust – Present
Sue Gregory – Absent - emailed
Amy Trulik – Present
Tim Gottus – Present
Joe Charlton – Absent – emailed
Brian Farrington – Present
Phil Lope - Present
Ken Howard – Present
Rick Healey – Absent

A majority of the Planning Commission Board being present, the Chairman declared the Meeting open for the transaction of business.

APPROVAL OF THE MINUTES of the April 7, 2021 Regular Monthly Meeting of the Buffalo Township Planning Commission, as recorded, was on motion of Amy Trulik, seconded by Tim Gottus. Motion Carried. Un. Approval.

LAND DEVELOPMENT

J.K. MILLER PLAN – SHUSTER DRIVE – SUBDIVISION PLAN

Graff Surveying LLC. is submitting a proposal for J. Kevin Miller for property located along Shuster Drive. They are proposing a subdivision of a 3.84-acre parcel into four lots. The lots will differ in size with the proposed sizes as follows: Lot 1 is 1.07 acres; Lot 2 is .81 acres; Lot 3 is .77 acres and Lot 4 is 1.19 acres. All 4 proposed lots have an existing 20' sanitary sewer easement running thru the property that they will connect into.

The Township office is in receipt of the Application, filing fee, copies of plan, Butler County Planning Commission comment letter received 4/22/21; BCPC did not have any comments on this plan; Municipal Authority of Buffalo Township comment letter received 4/23/21; Public water and sewage service does exist to this property; however, given the elevation of the existing main sewer line, service most likely will need grinder pumps. The Developer is advised that tapping, connection, MSI fees exist and is encouraged to contact the Authority Office for more information on fees and construction requirements.; Bankson Engineer comment letter received 4/23/21; SUBDIVISION: 213.D: Public Sites

BUFFALO TOWNSHIP PLANNING COMMISSION – REGULAR MONTHLY MEETING VIA VIDEO
CONFERENCE MAY 5, 2021

and Open Spaces: We recommend that the Applicant provide the fee-in-lieu-of land dedication prior to Final Approval of the Subdivision Plan Application. 307: Water and Sewer: We recommend that the Applicant provide evidence of water and sewer system provisions that meet the Pennsylvania Department of Environmental Protection requirements. The Applicant shall provide evidence of the approved PA DEP Sewage Facilities Planning Module. We recommend that Approval of the subject Subdivision Plan Application may be granted at this time, contingent upon satisfaction of all comments outlined above and the receipt of any/all applicable permits.

Ken Howard with Bankson Engineers stated that we have received the plan that has been prepared by Stan Graff and it is another excellent plan as presented. There were only two outstanding items that we would consider they pay the Fee In Lieu of or land dedication for recreational fee and they would need to provide to us that that water and sewer connections have been approved by the Municipal Authority and DEP. We recommend approval of the plan with those 2 contingencies. Mr. Miller spoke regarding the 2 outstanding items and said that he would pay the fee before the end of the week.

On a motion of Tim Gottus, seconded by Amy Trulik to favorably recommend the JK Miller Plan, Shuster Drive Subdivision Plan to the Board of Supervisors contingent upon satisfaction of all comments outlined above and receipt of any/all applicable permits. Motion Carried. Un. Approval.

L. PARRISH PLAN – GOLDSCHAITTER ROAD – SUBDIVISION PLAN

Graff Surveying LLC. is submitting a proposal for Lori Parrish for property located along Goldscheitter Road. They are proposing a subdivision of a 28.576-acre parcel into 2 lots as divided by Goldscheitter Road. The westerly portion of the parcel will be 18.766 acres and has an existing dwelling. The easterly portion of the parcel will be 9.81 acres and has been tested for an on-lot system.

The Township office is in receipt of the Application, filing fee, copies of plan, Butler County Planning Commission comment letter received 4/22/21; BCPC did not have any comments on this plan; Municipal Authority of Buffalo Township comment letter received 4/23/21; Public water and sewage service does not exist to this property; Bankson Engineer comment letter received 4/23/21; SUBDIVISION: 213.D: Public Sites and Open Spaces: We recommend that the Applicant provide the fee-in-lieu-of land dedication prior to Final Approval of the Subdivision Plan Application. 307: Water and Sewer: We recommend that the Applicant provide evidence of water and sewer system provisions that meet the Pennsylvania Department of Environmental Protection requirements. The Applicant shall provide evidence of the approved PA DEP Sewage Facilities Planning Module. We recommend that Approval of the subject Subdivision Plan Application may be granted at this time, contingent upon satisfaction of all comments outlined above and the receipt of any/all applicable permits.

Ken Howard with Bankson Engineers stated that this is another plan prepared by Stan Graff and it is in excellent shape but we would recommend approval with two contingencies one being the fee in lieu of being paid and the second obtaining their approval with the water and sewer. They are purposing

BUFFALO TOWNSHIP PLANNING COMMISSION – REGULAR MONTHLY MEETING VIA VIDEO
CONFERENCE MAY 5, 2021

and on lot septic system so we need to see that they get their DEP Sewage Facilities Planning Module permit issued for that on lot system. We could recommend approval with those two conditions.

On a motion of Christ Foust, seconded by Tim Gottus to favorably recommend the L. Parrish Plan, Goldscheitter Road Subdivision Plan to the Board of Supervisors contingent upon satisfaction of all comments outlined above and receipt of any/all applicable permits. Motion Carried. Un. Approval.

PENNENERGY RESOURCES LLC. W76 GAS WELL PAD – EKASTOWN ROAD – CONDITIONAL USE

PennEnergy Resources, LLC (“PER”) is seeking conditional use approval from Buffalo Township Board of Supervisors for the construction and operation of an unconventional natural gas well site on a 64.962-acre parcel owned by Albert T. Roenigk, Carol Boustead and Leland Roenigk off Ekastown Road in Buffalo Township’s A-1 Agricultural Zoning District, also identified as Butler County Tax Parcel No. 040-1F92-A13 (the “Property”) Section 307 of the Zoning Ordinance permits Oil and Gas Well Drilling in the A-1 District as a conditional use, subject to the conditions set forth in that section.

The Township office is in receipt of the Conditional Use Petition including exhibits, filing fee, map showing location of property, list of property owners within 1000’, Butler County Planning Commission comment letter received...; Municipal Authority of Buffalo Township comment letter received 4/23/21; Public water and sewage service does not exist to this property; Bankson Engineer comment letter received 4/30/21; ZONING: The subject parcel currently maintains a zoning classification of A-1, Agricultural District. Oil and Gas Development is recognized as a Conditional Use of the A-1, Agricultural District under Section 307 of the Zoning Ordinance. The subject parcel also exists within the A-2 Access Management Overlay. It should be noted that PennEnergy Resources, LLC does not own the subject parcel; however, a Memorandum of Oil and Gas Lease Agreement has been provided to the Township as evidence of proprietary interest to pursue the Conditional Use. Any and all uses of the subject parcel must comply with all requirements of the A-1, Agricultural District as well as the A-2, Access Management Overlay. 307.3A: The Conditional Use Narrative states that (six) 6 wells will be drilled as part of the W76 Pad development. The Conditional Use Zoning Exhibit drawing indicates that seven (7) wells will be drilled. Please clarify the number of wells to be drilled as part of the Conditional Use, per the Ordinance Requirements. 307.3.B&P: The Conditional Use Narrative states that gathering will be provided by a third party. In accordance with requirements of the Zoning Ordinance, please submit additional details which demonstrate, at a minimum, the location(s) of the existing Pine Run Midstream low-pressure gathering system, and a preliminary layout showing how the W76 Pad will be integrated into the existing natural gas pipeline network. 307.3G&N: We concur that Township Roads will not likely be utilized as part of the Conditional Use. However, the Applicant will be expected to provide evidence of all applicable state and federal permits related to the Land Development including, but not limited to, NPDES Construction Discharge Permit, PennDOT Highway Occupancy Permit, Township Grading Permit, etc. The Applicant shall also obtain all necessary permits from the appropriate state or federal agencies or authorities issued in accordance with applicable laws and regulations for the proposed use. 307.6: The requirements of

BUFFALO TOWNSHIP PLANNING COMMISSION – REGULAR MONTHLY MEETING VIA VIDEO
CONFERENCE MAY 5, 2021

Section 307.6 of the Zoning Ordinance appear to be applicable, as the Conditional Use Application proposes the construction and utilization of a Freshwater Well Development Impoundment on the subject parcel. Our office would recommend that Conditional Use Approval may be considered at this time, contingent upon adequate resolution of all comments, outlined above, and evidence of receipt of all necessary permits.

Ken Howard with Bankson Engineers stated that we had a handful of comments. We did receive a response letter from PennEnergy this afternoon and they have answered some of our questions. Our first comment was if they are building six wells or seven wells and they have confirmed that it will be seven wells at this time. They showed spot shots of where the wells are and the compressor stations would be located but they did not give us a preliminary foot print of where the pipelines would go. We feel that is still an outstanding comment and we need at least a preliminary potential route of where the pipelines will be located. The other comments have all been answered. We would recommend that this be moved onto the Board of Supervisors for a Conditional Use Hearing with the contingency that they will supply us with a preliminary footprint of where the pipeline would be. That would be the only outstanding item on list at this point. Amanda Peterson with PennEnergy Resources was in attendance and stated that they are still in the preliminary stages of the gathering system and that is why we have not supplied those items to the Board at this point. It is something that we will have prior to the Conditional Use Hearing we are just not quite ready. Ken asked if they could have the preliminary footprint within the next month. Amanda asked Zach Dixon if he could speak to this. Zach stated that he is the Land Manager at PennEnergy and since they are not controlling this and there being a third party, the routing will be done by Pine Run Midstream. Of course, well development happens prior to the pipeline. Ken asked if they could put a conceptual drawing showing where the Pine Run Midstream pipeline runs over to the compressor station. Just some potential verbiage showing or stating where it is going to run. Zach replied that we can do that. Ken stated that would just make it more clear for the Planning Commission and the Supervisors as to what the magnitude is to get the gas out of the well and to the Pine Run system. Zach stated that we will get the information to you. Ken stated that then we would recommend then to move this forward to schedule the hearing. Atty. Farrington stated that his firm Lutz Pawk & Black has a conflict with this specific item on the Agenda and so, Atty. Phil Lope is here as Solicitor for the Planning Commission with respect to this item. My silence is not approval, but I will not be taking part in this discussion. Grant asked a question regarding truck traffic and access to the site as well as volume of truck traffic from this site. Amanda stated that the volume would change as to what stage we are in with regards to the site and that most of the traffic would be coming North on 228. Amy Trulik asked what is the time line from start to finish. Amanda Peterson stated approximately 2 months, it is usually 6-8 weeks. Zach Dixon replied it will take approximately 2 months to drill 7 wells. Ken asked if they are planning to drill the well all at one time and Zach replied, yes. Initial development would be seven wells concurrently. Amy Trulik asked about the light and noise pollution toward the neighboring homes. Is that something that is addressed with the Supervisors? Tim Gottus asked about the sound wall and lighting and it already being addressed. Amanda stated, yes we will abide by the Ordinances.

BUFFALO TOWNSHIP PLANNING COMMISSION – REGULAR MONTHLY MEETING VIA VIDEO
CONFERENCE MAY 5, 2021

On a motion of Tim Gottus, seconded by Amy Trulik to favorably recommend the PennEnergy Resources LLC. W76 Gas Well Pad, Ekastown Road Conditional Use to the Board of Supervisors. Motion Carried. Un. Approval.

REMARKS FROM THE FLOOR

There were no comments.

ADJOURNMENT

There being no further business, it was on motion of Chris Foust, seconded by Tim Gottus, to adjourn this Meeting at 7:40 pm. Motion Carried. Un. Approval.

APPROVED:

CHAIRMAN

SECRETARY