

Pledge of Allegiance

Present:

Present at the meeting: Council Liaison Carl Stepanovich, Ryan Lemke, Jayne Hoy, Bob Mitall, Edward Patrick, Chris Kerns, Anthony Livecci, and Chief Administrator Jim Morrison.

Absent: James Olszewski

Approval of Minutes: Ms. Hoy moved to approve the June 8, 2021 minutes; Mr. Patrick seconded. Mr. Kerns and Mr. Livecci abstained since they were not at the June 8, 2021 meeting. Motion approved.

PUBLIC HEARING - HYPERION MIDSTREAM PROJECT

A public hearing on Hyperion Midstream Project was held at 7:00 p.m. Chairman Mitall instructed everyone on the procedure for the hearing. A stenographer was present to record the meeting.

Blaine Lucas: I'm outside counsel for Hyperion, which is a wholly owned subsidiary of Olympus, the developer of the Titan well pad. I'm with the firm of Babst Calland. We're going to have a presentation here that's going to address I think all together the conditional use -- all together the conditional use and the land development. So we'll walk through it and hopefully won't have to repeat because it's the second item I notice for the land development. This is an application for -- we have filed two applications for conditional use and a land development for what's called the Bollinger interconnect. Hyperion, as I indicated, is a subsidiary of Olympus. The purpose of the facility is for dehydration or removal of water, measurement, regulation and transfer of Olympus Gas into Eastern Gas Transmission and Storage, a transmission line, formerly Dominion's transmission line that passes through the site. The interconnect falls within the definition of oil and gas development under the township zoning ordinance and is authorized as a conditional use in the oil and gas recovery overlay district in which the property is located. To the extent applicable, Hyperion is also requesting a conditional use for a major excavation under the township zoning ordinance. Our principal presenters here tonight will be Ryan Dailey with CEC and Jeremy Burden, who is the vice president of Midstream Engineering for Hyperion. We have several other consultants here who prepared some of the other materials. We're not planning on having them make a presentation, but they are available if the members of the Commission have any questions. I have for you in most of these documents -- some of these documents anyway are going to be presented on the big screen, so to speak, but I have a packet that includes correspondence back and forth between CEC and commenting on the township staff review letters as well as several

of the drawings related to that. When Jeremy comes up, he will also have hard copies of some of the photographs of similar sites. So, with that, I'll hand these out and then I'm going to turn it over to Ryan. My name is Ryan Dailey, project manager with Civil and Environmental Consultants. So, I'm going to give you guys an overview of the site layout and walk you through some of the features there. If we can pull up the big board that I have in front of me here. So, I think you guys should be familiar with the type of well pad location off Bollinger Road. This project we're here for tonight is on the same property as the Titan well pad and one additional property owned by the Romans. So, the access road will come through the Olympus Energy property off Bollinger Road, and then access the interconnect site that will be located on the Roman property. That's also where the existing Eastern Gas Transmission line is located. As I mentioned, access to the site will be from Bollinger Road. The haul route as far as trucks and equipment getting to the site, will follow the same route as the Titan pad, which is to come from Washington Township across Silvis Road, up to Hilty Road, and then onto Bollinger up to the access road. So, dimensions on the access road is approximately 3,000 feet long from Bollinger back to the interconnect site. At last month's meeting, we had significant discussion regarding the width of the access road. We had proposed it to be 12 foot wide for the entire length. Following last month's meeting, we did take your advice and we added additional pull-off areas to allow vehicles to pass by each other. So included in our revised design are four pull-off areas that are an additional 12 foot wide. So, we have one right near the entrance so that vehicles coming into the site or leaving the site would be able to pass each other there right off of Bollinger. We have another pull-off area over here before we go down over the steeper portion of the access road just to make sure if there's any vehicles coming up or going down the access road, that they wouldn't have to stop in the middle of a hill, so they would be able to see vehicles coming and pull off there. Similarly, we have another one at the bottom of that hill for the same reason. And then a fourth pull-off right before we enter onto the pad, mostly there because we will have a gate around the pad. So, the extra pull-off area there will be used just to give some extra space for vehicles coming in and out of the gated pad. The access road will be stabilized with gravel for the entire length. The pad itself, approximate dimensions 250 feet long, 180 feet wide. Jeremy is going to get into a little more detail of the facilities and equipment that will be on the pad itself. While we're still on this overview, I can go over site proximity to some existing structures. So, the closest existing structure residence to the interconnect pad itself is approximately 1,100 feet to the south, and it would be these two houses located off of Kemerer Hollow Road. Closest protected structure to the access road is about 630 feet along Bollinger Road. It would be the house up to the northwest here. As far as stormwater design and permitting is concerned, Hyperion did apply to DEP for coverage under the ESCGP-3 permit for this site, which includes both E&S design and post construction stormwater management. That permit was approved last week from DEP and we also submitted that stormwater plan to the municipality and addressed some minor comments that they had had, that the engineer had had during their initial review. So, with that, our design includes three wet ponds. So, we have a pond located here along the access road, the second one down here, and then a third one below the pad itself. As mentioned earlier, we will have fencing around the pad for security

purposes, that will be 6 foot high with chain linked -- or yeah, 6 foot high chain linked fence with barbed wire around the top. We'll have a gate at the entrance and then a secondary gate out closer to the entrance off Bollinger Road just to prevent the public from being able to drive back the access road. We didn't discuss last time about lighting for this site. They will be installing dark sky compliant lighting just on the pad itself, and that lighting would only be used when employees are actively on the site. So, it's not some sort of dusk-to-dawn type lighting where it will be on year round around the clock, so it's only to be used when people are on site. We have no lighting proposed along the access road. I flip over to the next plan here.

MR. BLAINE LUCAS: These plans are in the packet I provided to the members too. While we're at it, Ryan, just one other question. There's an ordinance requirement that the facility be located at least 350 feet from recreation areas, is that met here?

MR. RYAN DAILEY: Yes. It's over 2,000 feet from this site. I believe that will be the Scout Knob property that would be the closest recreation facility. So, the plan I have in front of you now is the landscaping plan that CEC's registered landscape architects prepared for this project. As part of the application, we are seeking a modification to the landscaping requirements. And I'll kind of walk you through the basis for that and the general design for the landscaping here. So currently, this site has existing woods that basically follow this western edge of our limited disturbance. So, we're not proposing to cut down any trees along that side of the property. The road and the pipeline through here will be within existing meadow areas. There is a short portion here when here along the access road, where it is existing forested. There's no real way to avoid that. However, it is going to be minimal, just being that it's going to be the access road and pipeline coming through that area. So, with that, the approach that we took with the landscaping was to provide screening from off-site properties. So, the majority of the visibility on this site is going to be from the south basically from those properties along Kemerer Hollow Road. So what we're proposing is a mix of evergreen trees and low-level shrubbery basically to provide screening along this portion of the access road so that any residents looking kind of up the hill from this direction would be screened from looking at the access road coming around here. Similarly, we're proposing evergreen trees around both perimeters of the pad. So that if you're looking from the east or from the south, you would have screening there. And then additional screening around the stormwater pond below the pad. In addition to that and similar to what we have proposed for the Titan well pad, we are going to add a few deciduous trees and shrubbery out right next to Bollinger Road to try to do the best to maintain that existing kind of U-shape along Bollinger Road. And so the modification that we're requesting is to reduce the number of trees that are required in the ordinance from 144 trees down to we're proposing 52 trees and reducing from 718 shrubs down to 144 shrubs. Again, the reason for that is just the existing vegetation along the west side of the access road is going to provide screening from any view from the north. And topography from the eastern side will prevent any view of the site from properties to the east. One of the comments that the EAC board did have that we responded to in our June 30th comment letters, was just basically a question between using pine trees or the spruce trees that we have proposed. We are

proposing Norway spruce trees, that's the evergreen species, and that's consistent with what was approved for the Titan well pad. And Norway spruce is also a fast-growing evergreen, so it will provide screening at a much faster rate than some other species of evergreen. I'll pull this other map up real quick. One other item that we discussed at last month's meeting was the wetland buffer and the encroachment of the access road within 25 feet of that wetland. So, we went back and reviewed the dimensions on this wetland and it's less than .02 acre, which is roughly 900 square feet, so a very small wetland. And our access road is -- or the grading associated with the access road will be 16 feet away from that wetland. And in accordance with the DEP regulations, we are not proposing any impact to the wetland itself. CEC also prepared a geotechnical report for this project that was submitted with the ESCGP-3 application and subsequently with the municipality applications. Recommendations in there include excavating fill foundation keys down to competent rock, installing subsurface drainage, geogrid reinforcement and steep slope areas and then compaction recommendations for fill placement. The next topic will be noise. Jeremy can probably walk you through a little more detail about the different pieces of equipment on the site, but from a noise perspective, it's a very passive site during operations. There are not very many noise-generating pieces of equipment out there. Hyperion did hire Acoustical Control to prepare a sound impact assessment for the project, and the results of that study show that we won't be exceeding the ordinance requirement of 45 DBA at the nearest receptors. And, in fact, the models also showing that at the nearest residences down along Kemerer Hollow Road, the sound levels in the model are reduced to between 12 and 25 DBA. Realistically, you know, at that level, that sound just gets subsumed by the ambient noise level, which is much greater than 25 DBA. Additionally, in accordance with the SALDO requirements of Murrysville, CEC prepared a hydrogeologic report, and we have Tom Walsh here with CEC to answer any questions you may have on that. I'm just going to give you kind of a high-level overview of that report that was submitted with our applications. Basically, the results of that study show a number of physical barriers that will be in place, including secondary containment, E&S controls. We also have trained personnel on site to monitor all the equipment, both during construction and during operation. They also will have regularly scheduled inspections and maintenance of all of their secondary containment facilities to ensure that they are functioning properly. In the unlikely event that any of these controls would fail, you know, our report considered a worst-case scenario as required by the ordinance, if these -- all these different levels of protection were to fail. A release would travel overland basically to the east and to the west because this kind of sits on top of a hill. And due to the geographic barriers and the streams on both sides of the site, so the one stream that comes down this side of the site and the other stream that it goes down this side and eventually comes down onto the south, that would limit the impact on groundwater and it would also cut off any potential for overland flow or ground water to reach residential wells because the streams kind of isolate this site from the surrounding area. Also, in accordance with the SLDA requirements, CEC prepared an air quality study for the site. We have Leah Blinn here to discuss any questions you may have there. Again, just to kind of give you a brief overview or conclusion of what that study found. We concluded that the operational emissions from the project will not result in negative

impacts to the air quality and the region. Additionally, this facility does qualify for an exemption under PADEP air quality permit exemption 38C. So, if you guys have any questions on that, Leah can probably answer those for you. I think in conclusion for my portion of this presentation, we did, as Blaine indicated earlier, we did respond to the municipality's comments in two June 30th letters that were submitted, and those addressed the EAC comments. In addition, as we already discussed, we did address the emergency vehicle access with the addition of four pull-off areas along the access road. And then a couple of items that Jeremy can address regarding traffic, and we did -- or Olympus Hyperion is also in the process of evaluating the full depth reclamation of Bollinger Road, and they do anticipate extending that beyond the entrance of this site. So, I think that's like an extra 100 feet of Bollinger Road that they will be improving as part of this project. I don't know if you guys have any questions for what I have presented or if you want Jeremy to kind of wrap up our presentation here first.

MR. JEREMY BURDEN: As Blaine mentioned, I'm vice president of engineering for Hyperion Midstream. So, I'll start off by going through as we get onto the site, kind of walking through what the facilities are proposed for gas flow and kind of overview on what those are going to do in supporting the site.

MR. BLAINE LUCAS: This is also in the Commission member's packet.

MR. JEREMY BURDEN: So, you come into the site, the first piece of equipment is going to be our pipeline receiver. That's supporting our pipeline inspections, any water removal and just general overall operations in compliance with PUC and DOT. When the gas comes in, it will then enter a filter vessel. This will aid in supporting removing the water from the line as well and start some of the filtration just to kind of remove the water and then transport that over to our fluids tanks. Moving from there, it will go over to our dehydration, an additional filtration. That will just -- that's part of taking some of the particulates out of the gas, cleaning it up, removing the water through dehydration. And then from there, we'll deliver it over to the Eastern Gas side of the station, which is operated by Eastern Gas. And that includes the regulation skid, which controls the pressure prior to entering Eastern Gas, and then the measurement of it, which is measuring the volume of the gas prior to delivering to Eastern. And then the gas will exit the site and go to the transmission side of Eastern Gas. From the water standpoint, like Ryan had mentioned, we have vertical water tanks that are all contained in the secondary containment. And then in addition to that, we'll have triethylene glycol that will support operations also in the secondary containment portion of the site. So, I'll put up some pictures of some of our representative sites just to kind of put a little visual to what we have here. So, for reference in this picture here, I'll start on the right side and work my way left. This is the measurement building. In height from a protective standpoint, about 10 to 12 feet in height there. On the back side there, you can see some of the pipeline pig receiver facilities. Generally, from a height standpoint, you're somewhere around 3 and a

half to 4 feet in height on those. Kind of in the middle of the drawing, what I'm pointing to here is your dehydration. So, your towers are your vertical vessels. From a height standpoint, is about 35 to 38 feet, which will fall below the ordinance of 40 feet. And then kind of off to the left here will be those vertical tanks that I was talking about and then your secondary containment, which you can kind of see across the bottom, which everything is contained within. And then I'll pull up a second drawing here. The meter building, this is the same one that was in the last picture you guys had, this is a reference point. Just to the left of that is the regulation skid, that will control your pressure between our line and Eastern Gas. And then over here to the right is the controls building, that's where you have all your telemetrics, all of your remote monitoring that will go back to Eastern Gas and Hyperion as well to allow our operators to keep an eye on the station remotely when someone is not there physically. Just kind of going through just generally for the dehydration unit itself, the purpose of that is to remove the water. We are not removing anything such as ethane, butane or similar substances, just water content out of the gas. From the storage tank, I know we had talked about the produced fluids and the waters that we're removing out of there. Similar to what we have produced on the Titan well pad from a water produced composition, just lower volume, just because a lot of that is removed from the well pad itself, but we do have some of that entrained in the gas, and that's what we're removing from the site here. Next, I'll go into the schedule standpoint. Overall, from the civil side, we're looking at starting sometime in February and going about two months, so going from February to April. That will be the access road and the actual pad footprint itself, E&S controls, PCSM, some of the ponds that Ryan had mentioned, to get that all stabilized. Following civil construction, we'll move into mechanical construction. That will extend from April to about August. That will allow our contractors to get on site and install essentially all the facilities I just went through previously. From a traffic standpoint in relation to that, we're looking at about 30 trucks a day on a round trip basis, primarily of those are going to be pickup trucks. The larger truck traffic will come in at the beginning of the site when we're bringing in the equipment to start doing the work. We'll have some of the dump trucks for the stone and when we start building the access road and the pad surface itself mostly on the civil side. When we move into mechanical, we'll have trucks bringing in all the pieces of equipment, but generally once that's on site, the day-to-day traffic with pickup trucks for the actual personnel on site doing the work over that time that I kind of mentioned. From a traffic standpoint, we do overlap currently with the plans for drilling and completions on the Titan well pad. Drilling is looking at about 55 trips a day, CB adding 30 trips to that. On the completion side, there are 806 trips. So we're seeing about a 3 percent increase with the 30 additional trips that we're talking about for this. So as part of what we're looking at here, we're requesting a waiver just so the traffic study requirement based on the small amount of additional volume that we're adding incrementally to the Titan well pad activity. And I think overall -- is there anything else?

MR. BLAINE LUCAS: Traffic during permanent use.

MR. JEREMY BURDEN: Yes. And then during permanent use once we're done with the actual construction of it, we're looking at maybe a pickup truck a day from an operator that may go to the site just to oversee and put eyes on the site daily. And then for the water tanks themselves, probably once a month looking at a water truck going in there and draining those tanks. So overall, very minimal traffic impact once the site is in operation.

MR. BLAINE LUCAS: And length of use.

MR. JEREMY BURDEN: Yes. I didn't cover that. I know we talked about that the last time. So, length of use of the facility. So, we're looking at the facility will be in use as long as we have wells and gas producing into it. So, we're looking at a 50-plus year time period on that. Per our landowner agreement, once the -- I'll kind of go through what it has exactly in here, but upon termination of the use of the easement, Hyperion will restore the property to as nearly as possible preexisting condition. So, we'll go ahead and remove the facilities, we'll put the site back in a reclamation mode to where it will go back to its preexisting condition. And I think that's everything I had to cover. So, if you guys have any questions, feel free to ask Blaine, Ryan, myself or the rest of our team.

MR. PATRICK: What are the hours of the day that you all think you'll be operating in the civil mode and once you get into the equipment side?

MR. JEREMY BURDEN: Yeah, generally we're running about 7 to 7. Obviously seasonal dependent, but that's generally from a construction time frame what we're running.

MR. PATRICK: In addition to the water, are you getting any particulate off the gas or is it just strictly water?

MR. JEREMY BURDEN: It's strictly produced water.

CHAIRMAN MITALL: Why don't you have those facilities at the well site?

MR. JEREMY BURDEN: The dehydration facilities?

CHAIRMAN MITALL: Yes.

MR. JEREMY BURDEN: So, if you put them at a central spot like this, you limit having them at each individual location. From an operations standpoint, you're either going to have them here or you're going to have them there. If they're at the well pad, you have them each individual well pad versus a single location. So, when you're looking at operations, air emissions and general equipment, you can limit that to a single site versus multiple.

CHAIRMAN MITALL: So, I take from your answer, there's going to be other well pad sites tying into this pipeline that goes to Eastern?

MR. JEREMY BURDEN: So, we have another proposed site in Washington Township that would tie into this site as well or would tie into the Titan pad and here.

CHAIRMAN MITALL: That's the only one so far?

MR. JEREMY BURDEN: That's the only one we have proposed in this area, yeah.

MS. HOY: How far away is that site?

MR. JEREMY BURDEN: I would say it's about a mile and a half away.

CHAIRMAN MITALL: From the well or from the Titan well or the --

MR. JEREMY BURDEN: From the Titan pad. Yeah, it's a mile and a half to two miles.

MR. PATRICK: How are the communications, you mentioned that you're getting off site monitoring, how is that done, is that done via satellite or is it done via hard line?

MR. JEREMY BURDEN: Not hard line, no. Either satellite or cellular.

MR. PATRICK: Just let me get back to the communication with the monitoring. If it's done by satellite you can't have interruptions due to weather and so forth. What sort of fail-safe situations do you -- how do you handle it from a fail-safe standpoint?

MR. JEREMY BURDEN: So, we have back-up power. We always have two sources of communication. So, if it is satellite, you will have a cellular backup, and that's both our equipment and Eastern Gas' requirement. But from a monitoring standpoint, unless you have an event that knocks out everything, to which you have a backup plan where you have operators go out and you would be able to kind of manage what's happening on site via that way.

CHAIRMAN MITALL: I have some questions. When you talked about the turn-offs on the access road, and you said there were four, but I noticed there was none down there where the first big curve is coming off the -

MR. RYAN DAILEY: You're referring to this area here?

CHAIRMAN MITALL: Yeah. Why wouldn't you have a turn out there because it seems obvious you can't see around that curve?

MR. RYAN DAILEY: So based on the topography around here, there is good visibility through most of this curve. It's also relatively flat along here. So in the event that two vehicles would have to cross through here, either one of them will be able to stop well in advance of seeing the other vehicle and we feel that with the 2 foot shoulders that are proposed on this access road, that given how flat this is, that the vehicles could pass if they needed to.

CHAIRMAN MITALL: Okay. Regarding the tree species, you said they are Norway spruce?

MR. RYAN DAILEY: Yes.

CHAIRMAN MITALL: I don't know much about this, but I notice all the spruce trees are dying because they are infected with --

MS. HOY: Blight.

CHAIRMAN MITALL: -- some sort of blight or bug or whatever. Is this species prone to that disease?

MR. RYAN DAILEY: That I can't speak on. I would have to defer to our registered landscape architects on that one. I know the native species of spruce is a white spruce. The Norway spruce is similar but grows at a faster rate than the white spruce, so I don't know if there would be any difference in the susceptibility to blight between the two.

CHAIRMAN MITALL: I think it's something we might want to talk about.

MR. RYAN DAILEY: So I guess real quick on that topic. The EAC had recommended that pine species be used in place of spruce and our landscape architects felt that due to the fact that pine trees tend to self-prune themselves as they mature, so the undergrowth and lower limbs tend to die off on pine species. That from a screening perspective, that wouldn't be the preferred species to use, whereas the spruce tend to stay fuller at lower levels.

CHAIRMAN MITALL: Okay. Looking at that drawing there, you indicated that there's a - I think it's down at this far end or near a wetland?

MR. RYAN DAILEY: Yes. So, CEC did delineate streams and wetlands in the vicinity of the project area, and there is one very small wetland here that's about 900 square feet.

CHAIRMAN MITALL: Our ordinance requires a certain set-back distance of a buffer. Have you complied with that?

MR. RYAN DAILEY: Correct. So, like I explained earlier, the grading with the access road does come within 25 feet, which is the buffer requirement. However, the ordinance does state that the buffers can be reduced up to 50 percent, which would be 12 and a half feet.

MS. HOY: I think you said 16; right?

MR. RYAN DAILEY: The grading is 16 feet from the edge of the wetland, correct.

CHAIRMAN MITALL: So ours --

MS. HOY: Ours is 25.

CHAIRMAN MITALL: Are you requesting a modification from that?

MR. RYAN DAILEY: Yes.

CHAIRMAN MITALL: Okay. The Roman property that you referred to that the site is on, are you leasing that, purchasing that, do you just have an easement there for that?

MR. RYAN DAILEY: It's an easement with the Romans.

CHAIRMAN MITALL: Was the lease and requirement, the area been submitted to the municipality?

MR. BLAINE LUCAS: The memorandum of lease has been, which is what is recorded. There is a separate lease document that we'd be happy to provide if you would like. It basically provides for an easement with an initial term of four years that if Olympus Hyperion exercises the right, which we're going to do if we're going to build the site, is a perpetual easement.

CHAIRMAN MITALL: Okay. I think as far as you're proposing a project on another piece of property other than what you already own, I think that that document should be provided to demonstrate that you have rights to that.

MR. MORRISON: Excuse me, Bob. Would that provision for removal after the length of the project be included in that lease agreement?

MR. RYAN DAILEY: Yes.

MR. MORRISON: So it will knock out two birds with one stone then, okay.

CHAIRMAN MITALL: Just a general question. You indicated some distances from the various surrounding residents. How close are they -- has any background well sampling been done on any of these?

MS. HOY: Water wells?

CHAIRMAN MITALL: Yeah, excuse me, water wells.

MR. RYAN DAILEY: Brian, if you want to touch on this.

CHAIRMAN MITALL: It may have been done for the well pad itself.

MR. BRIAN GOMET: Brian Gomet. I'm with Olympus Energy, Hyperion Midstream. But yes, any testing will be done with the drill permits and it falls within that radius of that site.

MS. HOY: So they have not been done yet or they have been done?

MR. BRIAN GOMET: They have not been done yet.

MS. HOY: But they will be done before the drilling of the site?

MR. BRIAN GOMET: Correct.

MS. HOY: -- or the well pad?

MR. BRIAN GOMET: Right. Yeah, we have to do all the testing prior to drilling the wells.

CHAIRMAN MITALL: I'm just questioning, because I don't recall under our ordinance whether there would be a requirement under this application as opposed to the other application. I think we need to tie that together.

MR. MORRISON: Is that well testing going to be done prior to the February start date?

MR. RYAN DAILEY: Yeah, because drilling commences prior to that.

MR. MORRISON: Drilling commences before February of 2022?

MR. BRIAN GOMET: On Titan.

CHAIRMAN MITALL: Do you have all of your permits for the well itself?

MR. RYAN DAILEY: So, I believe the drill permits from DEP, if they haven't been approved, they have been submitted already. There are still some outstanding local permits for the well pad, such as the land operations permit, which we do have prepared and will be submitting prior to construction on that project.

CHAIRMAN MITALL: Let's suppose that the well permitting process holds you up a little bit, do you still intend to go with the schedule that's outlined here and build the pad and this facility before the well is done?

MR. JEREMY BURDEN: Yes, that's the intention right now, yeah.

CHAIRMAN MITALL: That's all I have. Anyone else have anything?

MR. LEMKE: Just as a follow up to that. If that does occur, then maybe we should make it a condition that the wells are tested --

MS. HOY: Prior to this.

MR. LEMKE: -- prior to them starting on this project, yes.

MS. HOY: I think that's a good idea.

CHAIRMAN MITALL: That is a good idea. Mr. Morrison, has the staff prepared any conditions of approval for the conditional use application?

MR. MORRISON: I have them listed here.

CHAIRMAN MITALL: Which letter is that, sir?

MR. MORRISON: The letter that they had submitted on June 30th.

MR. BLAINE LUCAS: There are actually two letters, one is a response to the conditional use and then the second one, which is the more lengthy one, deals with the land development plan.

CHAIRMAN MITALL: I had a question regarding the engineer's opinion of probable cause.

MS. HOY: It's at the very back. Next to the last page. I read it. Yes, fees, financial guarantees, is that what you're talking about?

CHAIRMAN MITALL: Yeah. And then I saw it on the Dropbox. Just a question. I didn't see anything in there for the landscaping.

MR. MORRISON: I have that listed as a condition.

CHAIRMAN MITALL: So this is a public -- is there any more questions?

MS. HOY: I have one. You talked about utilizing geogrid in steep slope areas. Can you delineate on your drawing right there where the steep slope areas are that you recognized?

MR. RYAN DAILEY: I don't have a good plan here that shows the topography very well for you, but it is shown on the erosion and sediment control plans, but the areas that --

MS. HOY: Do we have that?

CHAIRMAN MITALL: It's buried in the application.

MR. RYAN DAILEY: -- the area we identified is right here along the access road. And if you're familiar with the site, this cleared area that the access road kind of follows, is a reclaimed strip mine area.

MS. HOY: Yes.

MR. RYAN DAILEY: So, when you come off of the reclaimed strip mine area down into the native woods area, there's a very steep slope. I think it's roughly one and a half on one, to two on one slopes, currently stable. However, when they cut the access road in here as well as install the pipeline across that slope, we are proposing that they place geogrid reinforcement. Which if you're not familiar with it, it's kind of like a mesh-type wire fabric that goes into the slope. And as they put the soil back in, lifts every two feet vertically, they lay another -- they roll out another layer of geogrid, and that both ties the slope back into the existing grade and helps to stabilize the face of the slope in those steeper areas.

MS. HOY: Is that the only steep slope area?

MR. RYAN DAILEY: Yes. That's the only steep slope area that required geogrid reinforcement. Slopes around the pad will be graded at two on one both for cut and fill areas. As I mentioned, CEC did prepare a geotech report and provided recommendations for placement of the fill at that slope and we also dug test pits and ran slope stability analyses at the most significant cut slope location to verify that that would be stable. The wet pond slopes are graded at three to one in accordance with PA Stormwater BMP Manual, so those are really the steep slopes on this project.

MS. HOY: Thank you.

MR. KERNS: I have a couple of questions regarding the landscaping. It looks like from the pad elevations, it's about 1165 roughly?

MR. RYAN DAILEY: At the interconnect pad?

MR. KERNS: Yes, interconnect pad.

MR. RYAN DAILEY: Yes.

MR. KERNS: And the landscaping for screening that's proposed is about 20 feet lower than that, correct, on the southeast side of that?

MR. RYAN DAILEY: Around the stormwater pond?

MR. KERNS: Yes.

MR. RYAN DAILEY: Yes.

MR. KERNS: Is there a particular reason why that wasn't moved up towards the pad so it actually provides screening?

MR. RYAN DAILEY: I think from an operational standpoint, trying to fit that in between the wet pond and the fencing that goes around the pad in addition to the proximity to the Eastern Gas equipment, we put it around the stormwater pond like how we approached other projects.

MR. KERNS: Sure. I'm just concerned that at a 20-foot elevation difference, you're not going to get --

MS. HOY: 30 feet trees.

MR. KERNS: -- any screening at all for the pad. The second thing is I believe we have asked in the past when there's been a modification or request for landscaping, that there would be a contribution or some sort of a fee --

MS. HOY: Give and take.

MR. KERNS: -- paid in.

CHAIRMAN MITALL: Jim, are you familiar?

MR. MORRISON: We did it on one project.

CHAIRMAN MITALL: Okay.

MR. KERNS: Would that be something that could be considered for this?

MR. BRIAN GOMET: We can take it into consideration.

MR. BLAINE LUCAS: Certainly we would be willing to evaluate that. I don't think any of us here tonight are in a position to make a definitive call, but certainly we would explore that.

MR. KERNS: Sure.

MR. MORRISON: I guess a better question. What difference does it make as whether it's a Norway pine or the other pine? The project is going to be almost over by the time the tree gets 20 feet high.

MR. RYAN DAILEY: And that was part of the reason our landscape architects chose the Norway spruce over the white spruce because the Norway spruce grows faster than the white spruce does.

MR. MORRISON: What size of tree are you proposing to plant?

CHAIRMAN MITALL: 6 to 8 foot high.

MR. RYAN DAILEY: I was going to say. That's another item that we can discuss.

MR. KERNS: So you're talking 14 years before you have a growth where your ground elevation of the pad, much less an elevation to actually screen anything. Just something to consider.

MR. MORRISON: Can it be planted on the slope at all, is that the limiting factor there?

MR. RYAN DAILEY: So typically, we don't like to plant them within the embankments of the stormwater ponds just so that the roots don't grow into the pond and provide --

MR. KERNS: Well, that wouldn't actually be in the embankment of the pond. That would be on the upstream slope of it, not the embankment.

MR. RYAN DAILEY: Correct.

MR. KERNS: So, I don't think that's a concern in this particular case.

MR. RYAN DAILEY: But I think again, as I mentioned, there really isn't a ton of space there, but we can look into it with our landscape architects.

MR. KERNS: Those are the only two things I had.

MR. RYAN DAILEY: I guess one more item. Brian did mention that the well sampling has already --

MR. BRIAN GOMET: The surveys.

MR. RYAN DAILEY: The surveys have begun for the Titan well pad.

CHAIRMAN MITALL: No. Okay. If there are no further comments, we'll close the public hearing. Can I have a motion to close?

MS. HOY: Make a motion to close the public hearing.

MR. PATRICK: Second.

CHAIRMAN MITALL: All of those in favor say aye. (All Members responded aye).

The public hearing was concluded at 7:54 p.m.

Old Business:

1. **Consider a Recommendation of CU-3-21, Hyperion Midstream Project, Bollinger Road, Tax Map Number 49-12-00-0-007 & 49-12-00-0-008, R-R Zoning. Hyperion Midstream proposes to construct and operate an interconnect site to transfer natural gas to an existing transmission gas line operated by Eastern Gas Transmission.**
2. **Consider a Recommendation of SP-6-21, a Major Land Development, Hyperion Midstream Project, Bollinger Road, Tax Map Number 49-12-00-0-007 & 49-12-00-0-008, R-R Zoning. Hyperion Midstream proposes to construct and operate an interconnect site to transfer natural gas to an existing transmission gas line operated by Eastern Gas Transmission.**

Mr. Mitall stated that the next order of business is the approval of the site plan and the conditional use. Mr. Morrison stated that the staff conditions are: A road maintenance bond for the trucks going in and out of the site; if at some point a compressor station is determined, then that's a separate application and review process; Norway Spruce Trees; lights being turned on should be restricted to when there's on-site personnel; waiver of the traffic impact study, Mr. Morrison stated that he didn't have a problem with that because it was an extensive traffic impact study; we will need a copy of the letter from the utility service for the electric for the site; we will need amenities bond for the landscaping; execution and recording of the developer's agreement; show evidence of receipt of ESCGP-3 (DEP); provide evidence of any necessary permits for the development of the site through DEP; execution and recording of stormwater management agreement; copy of lease agreement, with evidence that it is to be a clean site once you're out of there; ordinance of well testing and the financial security. Mr. Kerns added a condition of a potential payment-in-lieu of the landscaping, the modification to reduce the landscaping required. Mr. Mitall asked what happens in the event of a power outage. Mr. Burden stated that there is on site battery back up power. Mr. Mitall asked how long does the battery back up power last? Mr. Burden answered 24 hours. Ms. Hoy asked if this facility is equipped to be hooked up to a generator? Mr. Burden answered yes. Ms. Hoy made a Motion to approve CU-3-21 & SP-6-21, Hyperion Midstream Project. Mr. Patrick seconded. Motion Approved: 6-0.

New Business

1. **Consider Acceptance of the Proposed Cherry Farms PRD tentative application, a 45 lot Planned Residential Development, three parcels constituting 77 acres, R-1 Zoning, tax parcels 49-10-12-0-015, 49-11-00-0-002 and 49-11-00-0-158, Cherry Drive.**

Chris Hamm from KDH Consulting Engineers is the representative speaking on behalf of Cherry Farms. Mr. Hamm stated that they met with Mr. Mitall and Mr. Morrison a few weeks ago concerning this application and they're well aware that they are a lot of things still outstanding that need to be addressed, so they're not seeking accepting of the application, but still wanted to stay on the agenda and bring it to the attention of the planning commission if they had any questions or anyone from the public had any questions and incorporate that into some of our thoughts as we move forward with our final design. He advised that he brought with him Greg Hineman, the developer; and Mike with NVR, the actual home builder.

Mr. Hamm presented the plan and stated that based upon a conventional subdivision design and based upon the formula for density, this site would be able to place 45 units on the property. He further stated that it will be built in 2 phases, depending on the sales. Each side of wetlands and streams will be able to be developed. He advised that they have to work on a sanitary sewer system and he will now turn it over to Mike from NVR.

Mike Kohowski from NVR is next to speak and he presents a plan that shows the names of the products and the base square footage of the home, which does not include the basement. Mike further goes onto describes the plans and show some examples of what each home would look like and a starting price prospective. Mike next shows a market analysis that shows how many properties were sold in Murrysville in the last year and their selling price. Mike stated that he feels that the product that they have will preform very well in this market.

Chris Kerns asked what will the final price be once this is all said and done? Mr. Kohowski answered between low \$600,000 to low \$700,000, depending on the product and the options that they put in.

Mr. Patrick asked the question how to you compare what you're offering here compared to what you did at Blackthorne? Mr. Kohowski answered the finishes will be different and will include craftsman elevations, so a combination of hearty siding and stone and brick is what they're seeing primarily selected. They are also offering side entry garages, which is not offered at Black Thorne. He also stated that the houses at Black Thorne are smaller. Mr. Patrick stated that with the Black Thorne project, they took it down to the ground and not a tree in site; what do you plan on doing with this site? Mr. Greg Hineman steps up to the microphone and answered the questing stating it would only be what is required for grading. He stated that his goal is not to do that, and that he wants trees.

Public Comment:

Greg Schneider from 3560 Applecroft Lane asked what is the current standard lot requirement to build a home on in Murrysville? Mr. Mitall answered, depends what zoning district that you're in; In R1, it's one acre lots with public water and sewage.

Darryl Turner from 3544 Applecroft Lane pointed out on the plan where he lives and commented that before the deer ticks got real bad, he wandered all over the property, with the approval of the people that own the property, and he pointed to the plans and showed where a gas line and right-a-way went in, and stated that where the development would go in at, you'd be creating a bowl and where is all the water going to go when you start removing all the trees and vegetation. It's all going to flow down to the valley and creating another potential flood problem. He said he's sad to see it being developed.

Keith Stewart from 4833 Cherry Drive pointed out on the plan where his 2 properties are and commented that there is a spring on his property and when it rains, the spring turns into a small river. Mr. Stewart pointed out on the plan to the wetlands across the street and stated that when it rains, that turns into a small river as well. He goes onto further state that he moved to Murrysville from Texas and he likes Murrysville because of the small town aspects, it's a rural community. He is concerned that this new development that all the houses are going to look alike and align straight down the road. His second concern is that there will be a lot of empty lots & homes sitting there because they can't get sold. He also asked what is going to be done with the farmhouse and barn that is along Cherry Drive. Mr. Stewart also asked a question about the possible street lights. He says he doesn't mind street lights but doesn't want light pollution. Mr. Hamm answered that the only street lights would be the light poles in front of the homes.

Dan Schwarman, landowner, no address given. He pointed to the plan and commented that there is moisture coming down from the farmhouse but it is not a creek. He disagrees with the amount of water that comes from that farmhouse, as stated by the other gentleman. He pointed out some other areas on the plan and rebutted another comment about an area being too steep. He feels the area is not too steep. He stated that it would be beneficial to keep the trees and not to have them hauled out.

2. A Discussion concerning an application to re-zone property at 4725 Old William Penn Highway, 1.1 acres, tax parcels 49-14-08-0-013 and 49-14-08-0-14 from M-U Mixed use to B Business.

Charles Hergenroeder, Esquire is the representative speaking on behalf of both of the re-zoning properties. He stated that both of these properties are the only mixed use properties in the business zone. It's been a non-conforming business use in a mixed use zone. The application is to change this to a business use and allow them to do an expanded use of that facility. The site plan has no changes in site. All the changes

are inside the building. Our request is to change the zoning from a mixed use to a B zoning. We're just trying to make the zone fit the use.

3. **A discussion concerning an application to re-zone property at 4765 and 4769 Old William Penn Highway, 1.35 acres, tax parcels 49-14-08-0-015 and 49-14-08-0-016 from M-U Mixed use to B Business.**

Charles Hergenroeder, Esquire is the representative speaking on behalf of both of the re-zoning properties. He stated that both of these properties are the only mixed use properties in the business zone. It's been a non-conforming business use in a mixed use zone. The application is to change this to a business use and allow them to do an expanded use of that facility. The site plan has no changes in site. All the changes are inside the building. Our request is to change the zoning from a mixed use to a B zoning. We're just trying to make the zone fit the use.

Mr. Patrick made a motion to accept both applications, start the 90 day clock, schedule a public hearing, and post the property. Ms. Hoy seconded. Mr. Lemke abstained. Motion Approved: 5-0

Other Business: None.

Adjournment: Mr. Patrick: Moved to adjourn at 9:00 p.m.
Ms. Hoy: Seconded
Motion Approved: 6-0