

**Greene County Planning Commission
Meeting Minutes
September 14, 2020**

CALL TO ORDER

Mr. Goroncy called the meeting to order at 7:00 PM.

ROLL CALL

The following were in attendance: Jim Goroncy, Matt Cumberledge, Craig Pellegrini and Julie Gatrell

The following were not in attendance: Alfred Burns, Dave Severini, Jim Smith, Larry Stratton, Jonna Knapik, and John Bokat

Staff Present: Jeremy L. Kelly and Austin F. McDaniel, GCPC

Guests Present: Andrew Kinter, Dave Pollock and Crystal Simmons, via phone.

APPROVAL OF THE MINUTES – August 24, 2020

Mrs. Gatrell made a motion to approve the August 24, 2020 meeting minutes and it was seconded by Mr. Pellegrini. All were in favor and the meeting minutes were approved.

PUBLIC DISCLOSURE:

This is a standard disclaimer. If you have a conflict of interest on any particular item, you are duty bound to disclose it.

EXECUTIVE SESSION

Mrs. Gatrell made a motion to go into executive session and it was seconded by Mr. Pellegrini. Mrs. Gatrell, Mr. Pellegrini, and Mr. Cumberledge were in favor and executive session began.

Mr. Pellegrini made a motion to break out of executive session and it was seconded by Mr. Cumberledge. Mrs. Gatrell, Mr. Pellegrini, and Mr. Cumberledge were in favor and executive session ended.

PUBLIC COMMENT

None

LAND DEVELOPMENT

Mr. McDaniel read the following from the agenda:

A.	CNX Buckland Station
Township	Richhill Township
Zoning	N/A
Site Control	CNX Midstream Partners, LP (22-03-0148)
Driveway	Buckland Road, Twp. Rt 334

Permit, parking and utilities	Utilities: Existing <ul style="list-style-type: none"> • Water: N/A • Electric: West Penn • Sewerage: N/A
Stormwater	Under Review
Conservation District/PADEP	PADEP- ESCGP- 3
Total Area of Disturbance	N/A
Narrative	It is the intent of this proposal to construct a new compressor shelter building, now belonging to CNX Midstream Partners, LP, established in the parcel 22-03-0148.
Approval Requested	Conditional Final Approval- SMR
Representative	Andrew Kinter, CNX Midstream Partners LP, Coordinator- Permitting

Mr. Kinter explained that he is seeking final approval for CNX's 11,334 square foot building. The project will be for coverage on existing compressors.

Mr. Kinter acknowledged that CNX is working on revisions for the minor stormwater comments from Mackin Engineering and he anticipates on having those revisions within a week.

Mr. Goroncy questioned whether this was a former airshaft site.

Mr. Kinter acknowledge that previously there was a former airshaft on the property.

Mr. Goroncy asked if the footprint was being expanded.

Mr. Kinter responded that the airshaft was on a different portion of the property away from where the compressors are located.

Mr. Goroncy asked if the stormwater being reviewed was for the County.

Mr. Kelly acknowledged that it was.

Mr. Kelly asked about the area of disturbance since the Planning Department was not given the actual numbers.

Mr. Kinter recalled that the total disturbance was around 50 acres which included the earthwork and the stockpiles.

Mr. Goroncy asked if only three compressors were on the property.

Mr. Kinter responded for this initial phase there were only three compressors.

Mr. Goroncy asked how many total compressors will be on the property long term.

Mr. Kinter replied that long term, CNX was looking at about 10 compressors on the property.

Mr. Goroncy asked if the compressors will be located in the building being proposed and also asked if there is a roof over the structure.

Mr. Kinter verified that the compressors on the property will be enclosed and if they do choose to move forward with more compressors, CNX would come back to the Planning Commission for approval on those. Mr. Kinter said roofs will be on the project to reduce maintenance and protect the investments from weather.

Mr. Goroncy asked if the Townships were notified on the project.

Mr. Kinter responded that the Townships were aware of the project.

Mr. Kelly asked if there were any special sound mitigations for the project.

Mr. Kinter acknowledged that there was no sound ordinance in place and that the building has been designed around a sound study parameter; however, they will have insulation in them that will reduce the sound.

Mr. Goroncy asked if there have been sound studies on previous compressor shelter buildings.

Mr. Kinter responded by saying that previous buildings have been designed around the ordinances enacted.

Mr. Goroncy questioned if all the buildings are site specific.

Mr. Kinter verified that the buildings are site specific and designed accordingly for sound waves.

Mr. Goroncy asked if the Township has a noise ordinance and how far away the closest home is.

Mr. Kinter stated that the Township did not have a noise ordinance and that the closest home was around 1500 feet away.

Mr. Pollock asked when the first allocation was filed with the Greene County Planning Commission.

Mr. Kelly responded that it was filed a few months ago.

Mr. Pollock, representing a client, noted that his client had previously sold the property in discussion to CONSOL Pennsylvania Coal. Within the sale, his client had reserved the right of first refusal if Pennsylvania Coal ever sold the property to another party, other than to its affiliates, that his client would have the right to buy his property back. The property was conveyed to CNX when it was an affiliate of CONSOL, however, when it was conveyed, both companies went public and split off as affiliates. Due to the split, a lawsuit has been filed in the Court of Common Pleas, noting that the property should have been offered back to his client after the company went public. His clients right were not offered to him and he would like to buy the property back. His client would like to see the project tabled as he does not want to further damage the property.

A representative from CNX stated that the case is pending in the Court of Common Pleas. The representative stated that what is not in dispute is that CNX is the record owner of the property. The

representative also noted CNX Midstream constructed the facility in 2019 and has been operational since March. The representative stated that Mr. Pollock wants the Planning Commission to preempt what the Court of Common Pleas has in front of it and that is to adjudicate the claim of his client on the merit against the actual property owner. The representative stated that the Planning Commission has all it needs in front of it. The building will be used to protect assets and adds the benefit of noise mitigation. The representative stated that if the permit is tabled, that the prejudice is the right of CNX, as it has an investment on its property and an opportunity will be granted to Mr. Pollock's client in the Court of Common Pleas. As it stands right now CNX is the record owner.

A motion was made to go into executive session for the purpose of discussing a potential litigation. See **Executive Session**.

A motion was made to grant conditional final approval for the CNX Buckland Station by Mr. Cumberledge and it was seconded by Mrs. Gatrell. Mrs. Gatrell, Mr. Pellegrini, and Mr. Cumberledge were in favor and conditional final approval was granted.

B.	The Black Lot Split II
Township	Greene Township
Zoning	N/A
Site Control	David A. Black and Blainettea H. Black 11-01-144
Driveway Permit, parking and utilities	Creek Road, Twp. Road 441 Utilities: Existing <ul style="list-style-type: none"> • Water: Existing • Electric: None • Sewerage: None
Stormwater	N/A
Conservation District/PADEP	Component I Under Review From DEP, Terry Mattis. PNDI
Total Area of Disturbance	N/A
Narrative	It is the intent of this proposed subdivision to create a new parcel from the original parent tract of 78.18 acres. Lot 1, 1.834 acres, will be separated between Creek Road, Twp. Road 441.
Approval Requested	Minor Subdivision or Lot Split

Mr. Kelly stated that a lot split has already been completed on the property previously therefore the board will have to decide whether to do the project as a lot split or minor subdivision.

Mr. Kelly reiterated that they are out of the floodplain and have access to road frontage.

Mr. Kelly mentioned that the Component I was sent to PA DEP in order to move the process along faster for the family.

Mrs. Gatrell acknowledged that the project getting completed faster could help settle an estate issue.

Mr. Goroncy asked if the holes shown in the survey were for a percolation test.

Mr. Kelly acknowledged that the holes were a percolation test and Mr. Kelly explained that all townships own their Act 537. In order to put a building with a septic system in, it has to go through the DEP to modify the Act 537.

Mr. Cumberledge made a motion to approve the Black Lot Split II as a lot split and it was seconded by Mrs. Gatrell. Mrs. Gatrell, Mr. Pellegrini, and Mr. Cumberledge were in favor and the motion was made to approve the project as a lot split.

I. OLD BUSINESS

- a. Gospel Tabernacle Family Life Center
- b. BFS Mt. Morris

Mr. McDaniel explained previous projects brought to the Planning Commission and where they were with the revisions regarding stormwater and their NPDES Permits. Gospel Tabernacle received their NPDES permit and the Planning Commission was just waiting for approval on their stormwater which has since been sent back to Wind Ridge Engineering. Mr. McDaniel also explained that the BFS Mt. Morris project was finalized with their lot split and permits but were still waiting for their stormwater approval which should be completed soon.

II. NEW BUSINESS

- a. Retracts and Recycling Data Input
- b. Reports/ Plans
 - STMP
 - SALDO Update
 - Utilities
- c. Waynesburg Betterment Project
- d. Term Expiration
 - John Bokar and Craig Pellegrini

Mr. McDaniel explained that the County submitted Retract Data to PA DEP which was gathered from Greene Arc. Residential tonnage brought to Greene Arc was 123 tons and the commercial tonnage was 34 tons.

Mr. Goroncy asked what years the Retract Data was for.

Mr. McDaniel replied that it was solely for the year of 2019.

Mr. Kelly mentioned that a feasibility study on the internet was completed and we will see those results soon. Mr. Kelly explained that two reports and plans that are high on the Planning Department's

list includes utility plans and the updating of the SALDO. Mr. Kelly mentioned that an RFP has been issued for a SALDO update through the Strategic Management Plan.

Mr. McDaniel explained that in 2022 a Betterment Project will be coming to the Waynesburg Borough to replace traffic signals and fix road issues which include utility relocations and ADA upgrades.

Mr. Goroncy asked if the funding is all from PENNDOT.

Mr. Kelly replied that there will be multiple funding sources which include LTAP money and transportation alternative projects.

Mr. Kelly brought up the Boards term dates and informed the group Mr. Bokak resigned from the Planning Commission Board and that Mr. Pellegrini’s term is up at the end of the year.

III. CONSERVATION DISTRICT REPORT

IV. PLANNING DEPARTMENT REPORT

- a. Lot Splits – Appendix A
- b. Tax Abatements – Appendix B

Mr. McDaniel brought up an issue that may arise with a particular lot split. A township, in which the lot split is located, does not want the lot split approved for tax base reasons however the Planning Commission can’t deny a lot split off of that basis.

V. MEETINGS

VI. ADJOURNMENT – NEXT MEETING IS SCHEDULED FOR October 5, 2020

Mr. Cumberledge made a motion to adjourn and it was seconded by Mr. Pellegrini. All were in favor and the meeting was concluded.

<u>MEETING MINUTES CERTIFICATION</u>
We, the undersigned, agree that the minutes taken above were approved in their entirety by the Greene County Planning Commission on _____, 2020.

Chairman, Greene County Planning Commission

Secretary, Greene County Planning Commission