

CHARTIERS TOWNSHIP
BOARD OF SUPERVISORS PUBLIC HEARING
JULY 13, 2010

PROPOSED WINDMILL ORDINANCE
OIL and GAS AMENDMENT

Harlan G. Shoher, Jr. – Chairman called the Public Hearing to order at 7:00 p.m. Tuesday, July 13, 2010. Mr. Shoher asked all present to stand for the pledge of allegiance.

ATTENDANCE:

Attending this evenings hearing were Supervisors A. William Kiehl, Richard Metzler and Mr. Shoher. Additionally in attendance were James Liekar-Solicitor; Samuel R. Stockton-Township Manager; Harold Ivery, Jr.- Zoning Officer and Wendy Williams-Recording.

The purpose of this hearing is to take public comment on a proposed Windmill Ordinance and proposed Oil and Gas Amendment Ordinance.

Both proposed ordinances have been properly advertised in the Observer Reporter.

Windmill Ordinance:

Lee Nickovich
1 Walden Woods Lane
Washington, PA 15301

Submitted ordinances, to Mr. Stockton, from Cross Creek, Carroll and Mt. Pleasant Townships and some verbiage from North Strabane.

Section 1. Paragraph C. Wind energy generation shall be limited to one (1) windmill per lot or tract of land. This ordinance is based on 2-acre tract. If you have 10-acres or 2-acres, I can't see why you can't put **two (2)** or **three (3) systems** in.

Mr. Nickovich has 30 acres of ground.

Paragraph D: The applicant shall demonstrate that the proposed site has sufficient wind for the continued and proper operation of the windmill. **This should be scratched.** The people who come out and propose these systems do a wind test. They are going to tell you if you are wasting your money or not. You need a certain wind level to maintain a basic generation of electricity.

Paragraph E: The maximum height of a windmill, measured from the average approved finished grade at the perimeter of the windmill, foundation to the highest vertical point of a blade at its maximum vertical position, shall not exceed 45' feet. **Planning Commission changed that to 57' feet.** A monopole, which is a single pole without guide wires coming down - you have 35/45' poles, plus your turbine on top. Once you get beyond that 45' pole you're putting guide wires down. Then you're talking fencing. 57' is adequate. You may want to round it off to 60. Most manufactures have 35' poles and 45' poles. Once you get beyond that you're talking guide wires. If we limit the area to somewhere around 60 feet that should be adequate to get over any tree line and any roof line.

Paragraph F, G, H is engineering drawings, electrical drawings and PUC Commissions generation of electricity, private use application. You look at every other Township **North Strabane, Cross Creek, and Carroll – none of them have this. You have Mr. Ivery to inspect them as well as your Electrical Inspector. The manufacturer has pole information; mounting information and some engineering.**

Mr. Shober: "Would this work?"

Mr. Ivery: "They would have to turn in some type of plans so they can be reviewed. I'm sure the manufacturer or engineer signs off on it."

Mr. Nickovich: **Paragraph H:** No windmill shall be placed closer to a property line, occupied structure, utility, utility line structure or fuel source than the distance measured by its height plus twenty-five percent (25%) of its height (measured in feet). The only thing I changed there **height of pole plus twenty-five percent (25%) of its height on top of that.** In other words it's not specifying. It just says the height. You need a little more clarity.

Ed Kovacik
810 Ridge Ave.
Canonsburg, PA 15317

Section 1931 Paragraph D: The applicant shall demonstrate that the proposed site has sufficient wind for the continued proper operation of the windmill. I would caution the Board to watch the science there because there is a difference between sustained wind energy and wind turbulence

Paragraph E: The maximum height of any windmill, measured from the average approved finished grade at the perimeter of the windmill foundation to the height of vertical point of a blade at its maximum vertical position, shall not exceed 55' feet. **What are you trying to protect here? It seems to me you're trying to protect adjoining property owners. Obviously you don't want your neighbor to have a 100' foot tower that it could come down and crash into their house. Right? Section H:** States no windmill shall be placed closer to a property line, occupied structure, utility, utility line, structure or fuel source than the distance measured by its height plus twenty-five percent

(25%) of its height (measured in feet). **We need one or the other.** If I have 100 acres and I want to put this in the center of that 100-acres. If I want to have a 1,000 ft. structure and it falls, it's not going to hit anything.

Paragraph K: The proposed location and operation of the windmill shall be demonstrated not to interfere with the broadcast, radio, wireless or other telecommunication signals or facilities. In all cases, the location of the windmill shall be clear of and shall not interfere with any existing trees, structures, wires and the like.

Again, for the sake of the zoning people you are into the science, which would be very difficult to measure. The inverse of that paragraph would be that I would like an ordinance in the township that prohibits any electro magnetic interference from hitting my property. How I am I going to know whether I'm interfering with any telecommunication until I install the system?

Mr. Shober: "Do any of you know whether you have to get some type of permitting, let's say from the FCC?"

Mr. Nickovich: "I can tell you that on the wind studies they basically they say it would ideal if you could take your system 25' feet above your roof line because the winds are constantly changing, so when you get above your roof line they use that as a measurement or mark."

Mr. Shober: "I'm looking at some official from the FAA. When they put the microwave tower up they have to get some kind of permission off."

Mr. Nickovich: "Based on my study in the various systems on the market this is not to exceed a 10kK (kilowatt) ordinance. What Ed is talking about is well over the 10kK ordinance. When you're talking about a smaller system you may end up having two (2) ordinances. One below the 10kK and the other above 10kK."

Mr. Metzler: "Do think it's fair if you cause interference when you install windmills or windmill and cause interference you become responsible to remedy the problem for your neighbors."

Mr. Kovacic: "I don't see how you could interfere, I really don't. Probably the biggest interference that you may have would be sound and that would be if you had some bearings that went bad."

Mr. Stockton: "Do any of you gentlemen know if the turning of the blades causes any static electricity charge in the atmosphere. Could that cause electrical interference? I don't know."

Mr. Nickovich: “I think the more wind you have the more whining you’re going to have. Based on what I have read we are going to be all right on the noise side of it. I think our noise ordinance is 60 decibels. People with 2 acres may not be able to attempt this. If you look at Cross Creek it says 10-acres; Carroll Township it says half ½ an acre.”

Mr. Kovacik: **Paragraph Q:** Caution signs shall be placed at the setback limit warning of ice and blade throws. Signs shall be placed at 100’ intervals, no lower than three (3’) high and a minimum of one square foot. **Basically what it is saying you have to put signs up saying: “Be careful this thing could be throwing chunks of ice off of it, and I understand that, but if you are sitting on a two-acre plot, or an 88-acre farm and your nearest neighbor is about a quarter of a mile from you – I don’t see why you need to put signs up at intervals.**

Paragraph B: Power generated by a windmill shall not exceed 20k. There shall be no commercial use of the windmills for the generation of energy, except for that energy, except for that energy generated in excess of the requirements of the property and purchased by a public utility. **It’s very minor point, but you are never going to sell this thing to a public utility. The best you are going to get is credit to your bill. You may take a look at the metering.**

Jackie Orbich
275 Plum Run Rd
Canonsburg, PA 15317

“I have concerns about windmills. I’m all for being green. Not really versed on windmills, but I would be very concerned of how close it would be from my home. I would be concerned about the ice from the paddles and the eyesight. Also, noise and distance and television interference.”

Karen Puff
2092 Henderson Ave.
Washington PA 15301

“The windmill thing, it is going to be noise and it will be ugly, but, we have gas wells every 3 feet – they’re noisy. They are polluting our air and they are polluting our water. If I were to have one or the other, this is certainly something to consider. I would rather take the windmill rather than the gas well.”

Mr. Nickovich: “Inside this ordinance is that we have to meet the Township Ordinance decibel rating applying to this windmill system. When we submit information to Mr. Ivery we would have to submit that information and enough information so he could see the decibel ratings were that rated on each system. My understanding is this makes no more noise than a microwave oven. We have to meet Township Ordinance elated to safety; and related to sound.”

Paragraph I: No windmill blade at its lowest point shall be closer to the surface of the ground than fifteen feet (15'). **I think that's too low. If you are going to put a 35, 45 ft. pole up, you can do at least 20-25' there.**

Gas and Oil Ordinance:

**Karen Puff
2092 Henderson Ave.
Washington PA 15301**

"I live close to a compressor station and it's very noisy. It runs all night. Is there or is there not a noise ordinance that pertains to the oil and gas wells?"

Mr. Shober: "There is not. There is an ordinance general to any noise in the Township not to exceed 60 decibels. We are adding it to the proposed Gas and Oil Ordinance."

Mrs. Puff: "The other problem I have...I understand Pennsylvania and New York are the only states that do not have a "Closed Loop System" which requires that they do not flare any gas with all kinds of pollutants in the air and there are no opened sedimentary pools. This system is much less hazardous to our air and water. Why are we permitting these people coming here and polluting our air and water? I think our water should be tested now. It should continue to be tested so we can find out what is happening to it. We are still a rural area and many of us still have wells."

**Jackie Orbich
275 Plum Run Rd
Canonsburg, PA 15317**

"The noise, I really think we need to change ordinance as far as the noise. I live between two compressor stations. I see all the traffic. I hear all the noise. The traffic is horrible – constant trucks. There doesn't seem to be police up there for speeding. There are bunk houses."

**Joseph Orbich
275 Plum Run Rd.
Canonsburg, PA 15317**

"These bunk houses – what are they?"

Mr. Shober: "Bunk houses are basically like RV Units. They look like mobile homes. The bunkhouses are there for the Supervisors and Foreman that are there all the time. They are required to be on site in case of emergencies 24 hours a day. The bunkhouses are on site on that restricted site, while working on that well. The bunk houses are moved from site to site"

Lee Nickovich
1 Walden Woods
Washington, PA 15301

“Section 16 addresses the noise. Is this for the wells only or does this also include the compressor stations?”

Mr. Shober: “Noise on the compressor station is something that needs to be addressed if it isn’t already in the ordinance.”

Mr. Nickovich: “These bunk houses – do they need to get permits from the Township when they place them? Mr. Ivery should be aware of where they are at, at any given time.”

Mr. Shober: “We either allow them or we don’t allow them. If we allow them then we have to set controls on them.”

Harry Mankey
24 Meddings Rd
Canonsburg, PA 15317

“If you are going to allow bunk houses, you should have it stated that they be so far away from the wells.”

Joyce Metzler
810 Longvue Dr
Houston, PA 15342

“I think Mark West is an unattractive facility. It caused a lot more traffic than needs to be. I would like to suggest to landscape that perhaps they could landscape around it with big pine trees and at least to block it. That may stop some flares that are glowing. The second point I think you need to put a time period on those bunk houses on a given site, just not indefinite. If you are having problems with your wells and water perhaps Range Resources should run public water at those affected home sites.”

Calvin Swoager
53 Griffith Lane
Canonsburg, PA 15317

“There should be a time limit on the time people are staying there. There should be people who are checked on records reports. The compressor stations, if they have some landscaping around them to cut down the noise barrier would sure help.”

Terry Swoage
53 Griffith Lane
Canonsburg, PA 15317

“I think communication is a major issue that is not happening. Possibly putting something on your website what is happening; time lines so we could check it.”

Ed Zieler
112 Jaspens Way
Canonsburg, PA 15317

“Road Closings on Brigich there were no warnings whatsoever. The compressor station - The one further from me is Plum Run Road. I can hear that one and it's a mile away. They are building one on Brigich Road – ¼ of a mile from my property. What I'm concerned about is you hear this release of pressure. What are they releasing? These houses are right next to it. Is it hazardous? Is there anyway they can monitor it? Also, the gravel that was put down on Plum Run Road and behind Brigich's is washing down on the roads.”

John Liebold
Crossover Lane
Canonsburg, PA 15317

“Time tables on maintenance on the roads. They should be made to do road borings instead of cutting the road. Cutting the road, the road has sunk. Someone mentioned city water. I like my spring, well water. I don't want city water. There is no communication whatsoever.”

Mrs. Orbich: “There should be something in place where you live a certain distance away from a well Range Resources should be responsible in testing the water and letting us know the results. Compressor Stations – as far as the time they are permitted to run. Can't it be from a certain time in the morning to a certain time in the evening? Does it have to be a continuous thing?”

Mr. Shoer: “I don't know whether than can do that. I know they are retrofitting the compressor stations. They are putting buffer areas around them.”

Mr. Liebold: “All we are looking at is that the Township minimize inconveniences; protect our resources; and try to protect the ascetics of our rural community. I think the more we understand what's going on I think everyone will have better end results.”

A motion was made by Mr. Kiehl and seconded by Mr. Metzler to adjourn the hearing at 9:25 pm. Motion carried.

Richard W. Metzler
Secretary

Wendy Williams, Recording Secretary