

East Goshen Township
Pipeline Task Force Meeting Agenda

Thursday, March 11, 2021

6:30 PM

Dial in Number: (929) 205-6099

Access code: 890 8477 4350 # #

During this tele-conference Pipeline Task Force Meeting, public comment will be handled as follows:

- **The public will be muted during the meeting when the Task Force is talking.**
- **The public will be given an opportunity to comment and ask questions during the Public Comment period.**
- **Participants wishing to comment can hit *9 to raise their hand.**
- **Participants must state their name and must speak one at a time.**

1. Call to Order
2. Pledge of Allegiance / Moment of Silence
3. Ask if anyone is recording the meeting.
4. Senator Kane Introduction
5. Approval of Minutes
February 11
6. Public Comment
7. Chairperson's Report
8. Reports
 - a. Legislative Update
9. Old Business –
 - a. Report on Dr. Sasowsky's progress
 - b. Discuss the Township's Draft Pipeline Awareness Study Ordinance
10. New Business
11. Any Other Matter
12. Correspondence
 - a. Copy of Water Testing Invoice
13. Adjournment

1 PIPELINE TASK FORCE WORKSHOP
2 THURSDAY, February 11, 2021
3 TELE CONFERENCE
4 DRAFT MINUTES

5
6 **Members Present:**

7 Chair Caroline Hughes; Vice Chair Bill Wegemann; Members: Jim Christenson,
8 Judi DiFonzo, Christina Morley, Gerry Sexton

9
10 **Others Present**

11 David Shuey, Township Supervisor; Rick Smith, Township Manager; Ernie Harness,
12 Planning Commission

13
14 **COMMON ACRONYMS:**

<i>ACOE</i>	<i>Army Core of Engineers</i>
<i>BI&E</i>	<i>Bureau of Investigation and Enforcement</i>
<i>BOS</i>	<i>Board of Supervisors</i>
<i>CCATO</i>	<i>Chester County Association of Township Officials</i>
<i>DCNR</i>	<i>Department of Conservation and Natural Resources</i>
<i>DEP</i>	<i>Department of Environmental Protection</i>
<i>EGT</i>	<i>East Goshen Township</i>
<i>EGSEA</i>	<i>East Goshen Safety and Environmental Advocates</i>
<i>ET</i>	<i>Energy Transfer Company</i>
<i>FOI</i>	<i>Freedom of Information</i>
<i>HDD</i>	<i>Horizontal Directional Drilling</i>
<i>IR</i>	<i>Inadvertent Return</i>
<i>ME1</i>	<i>Mariner East 1</i>
<i>ME2</i>	<i>Mariner East 2</i>
<i>PHMSA</i>	<i>Pipeline Hazard Materials and Safety Administration</i>
<i>PUC</i>	<i>Public Utility Commission</i>
<i>TF</i>	<i>Task Force</i>

15
16 **Call to Order & Pledge of Allegiance**

17 Caroline called the meeting to order at 6:31 p.m. and led the Pledge of Allegiance.

18
19 **Moment of Silence**

20 Caroline called for a moment of silence for those in the service, those who lost their lives
21 serving our country and for people battling COVID.

22
23 **Recording**

24 The meeting is recorded to the cloud via Zoom meeting settings.

25
26 **Approval of Minutes**

27 The minutes from January 28, 2021, were unanimously approved as amended.

1 **Public Comment – None**

2
3 **Chairperson’s Report**

4 Caroline reported:

- 5 • The County Commissioners hired an independent geotechnical engineering firm
6 regarding the sink holes on Route 30. That firm reported that there are serious
7 structural issues for the library building, and they are recommending a remedial
8 process to prevent problems.
9
- 10 • Middletown Township is being sued by the owners of Glen Middle Apartments for
11 approving ME construction around the apartments.
12
- 13 • There is a company looking for volunteers who have a well and live along ME to have
14 their well water tested for free test. Caroline will get more information regarding this.
15 There was discussion about Township wells that are close to the pipeline boundary.
16 Rick stated that at the beginning of the ME2 project all residents within 450 feet of
17 pipeline received a letter regarding well water testing. Christina stated that the DCNR
18 website has a list of PA well residents that can be download as an Excel spread sheet.
19
- 20 • Last month there was discussion regarding testing for bentonite. Caroline reported that
21 that Middletown Township hired the company RJ Lee. She has contact information and
22 samples of reports.
23

24 **Legislative Update**

25 Caroline and Judi stated that there is a Virtual Meet & Greet with State Senators Comitta
26 and Kane on Thursday, 2/25, from 6-7 pm hosted by Conservation Voters of PA,
27 PennFuture and PennEnvironment.
28

29 Bill stated that he has contacted the offices of Senators Herrin and Kane to request an
30 introductory call. He added that he is still in touch with Representative Comitta’s office.
31

32 **Update on Dr. Ira Sasowsky’s progress**

33 Bill explained that there is no new information regarding Dr. Sasowsky’s report since the
34 last TF meeting. Rick and Bill stated that Dr. Sasowsky should be wrapping up within the
35 next week.
36

37 **Communication with Local Officials**

38 Caroline encouraged all TF members to reach out to Senators Herrin and Kane as
39 constituents and as Pipeline TF members.
40

41 **Liaisons with other ABCs**

42 Caroline stated that ABC liaisons are important in order to maintain a line of
43 communication. Liaisons should review upcoming agendas and past minutes.
44
45

1 The following members volunteered to serve as liaisons:

2 Conservancy Board – Christina Hughes

3 Futurist – Jim Christenson

4 Planning Commission – Bill Wegemann

5 Sustainability Advisory Committee – Caroline Hughes and Judi DiFonzo

6
7 **Reassess and redefine the Pipeline TF purpose / mission statement**

8 The TF discussed and compiled their mission statement which supports the TF duties and
9 responsibilities as outlined in Resolution 2018-78.

10
11 Caroline made a motion to adopt the following as the Pipeline Task Force’s mission
12 statement: “*Gather and provide pertinent information to the East Goshen Board of*
13 *Supervisors while monitoring online and physical activity pertaining to the various pipelines*
14 *and related proposed and current projects in our Township. To keep current on proposed*
15 *regulation, ensure environmental compliance with the goal of advocating and educating our*
16 *residents with safety always as a priority.*” Christina seconded the motion. The motion
17 passed unanimously.

18
19 **Newsletter Article**

20 The TF reviewed the newsletter article draft that Judi provided. David suggested that the
21 article include attributions to the source. It was also discussed that the word *product*
22 should be replaced with *material*. Jim made a motion to approve the article submitted by
23 Judi with the changes discussed and title it: ***Mariner East 101: The Basics***. Christina
24 seconded. The motion passed unanimously.

25
26 **Pipeline Awareness Study Ordinance**

27 Ernie Harkness from the Planning Commission was in attendance to address any questions
28 about the Pipeline Awareness Study Ordinance that the Planning Commission has been
29 working on. David stated that the Task Force should provide input to this ordinance prior
30 to it going before the Board of Supervisors. Ernie stated that the Planning Commission and
31 the Pipeline TF have been in communication regarding this ordinance.

32
33 Ernie explained that the intention of the ordinance is to provide landowners and
34 developers awareness of the pipelines so that appropriate considerations can be made
35 during the planning process of development. Per the ordinance when a pipeline study is
36 developed, it would go to the Planning Commission and the BOS for evaluation. Resources
37 such as the Pipeline TF, Emergency Management Personnel and the Fire Department would
38 be utilized for this study review. The study will be triggered if there is an application for
39 potential development near the pipeline.

40
41 There was discussion regarding the consultation zone and the setback area. Christina
42 recommended that based on a PHMSA guideline that a site-specific number be calculated to
43 determine the setback area. This would be for any proposed development near a pipeline.
44 Ernie said that the Planning Commission entertained this idea but felt that the proposed
45 660 feet was a good balance.

EAST GOSHEN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. 2021-_____

AN ORDINANCE AMENDING THE EAST GOSHEN TOWNSHIP CODE, CHAPTER 205 TITLED “SUBDIVISION AND LAND DEVELOPMENT” SECTION 205-7 TITLED “DEFINITIONS” TO ADD A DEFINITION FOR HAZARDOUS LIQUID PIPELINE AND NATURAL GAS TRANSMISSION PIPELINE AND TO ADD A NEW SECTION 205-40.1 TITLED “PIPELINE AWARENESS STUDY”; AMENDING CHAPTER 240 OF THE EAST GOSHEN TOWNSHIP CODE, TITLED “ZONING” SECTION 240-31.B(3) AND (7) TO REQUIRE A PIPELINE AWARENESS STUDY TO BE SUBMITTED AS PART OF CERTAIN CONDITIONAL USE APPLICATIONS.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of East Goshen Township pursuant to the Board’s power to adopt ordinances necessary to secure the health, safety and welfare of the citizens of the Township pursuant to Section 1506 of the Second-Class Township Code, 53 P.S. §66506, and pursuant to the authority in the Pennsylvania Municipalities Planning Code, 53 P.S. § 10101 *et seq.*, the Board enacts and ordains as follows:

SECTION 1. Chapter 205 of the East Goshen Township Code, titled, “Subdivision and Land Development”, Section 205-7 titled “Definitions” shall be amended by adding the following new definitions:

Hazardous Liquid Pipeline - any pipeline designed for transmission of a hazardous liquid as regulated by CFR Title 49, Section 195.2.

Natural Gas Transmission Pipeline – any transmission pipeline regulated by CFR Title 49, Section 192.3.

SECTION 2. Chapter 205 of the East Goshen Township Code, titled, “Subdivision and Land Development” shall be amended to add a new Section 205-40.1 titled “Pipeline Awareness Study” which shall provide as follows:

“§ 205-40.1 Pipeline Awareness Study.

A. Applicability. A Pipeline Awareness Study (“Pipeline Study), prepared by and sealed by a professional engineer licensed in the Commonwealth of Pennsylvania shall be submitted to the Township, with the following submissions:

(1) As part of a preliminary plan submission for any land development application where the tract proposed to be developed is located within 660 feet of the centerline of any Hazardous Liquid Pipeline or Natural Gas Transmission Pipeline.

(2) As part of a tentative plan submission for any application for a planned residential development (PRD) where the tract proposed to be developed is located within 660 feet of the centerline of any Hazardous Liquid Pipeline or Natural Gas Transmission Pipeline.

(3) As part of a conditional use application for a principal use of property where the tract proposed for the principal use is located within 660 feet of the centerline of any Hazardous Liquid Pipeline or Natural Gas Transmission Pipeline:

- (a) Any residential development.
- (b) Township park.
- (c) Place of worship or religious institution, excluding hospitals, sanitariums, penal or corrective institutions.
- (d) Public or private primary or secondary school.
- (e) Publicly owned recreation.
- (f) Public utility facility.
- (g) Private recreation facility.
- (h) Church or place of worship.
- (i) Nursing home or personal-care center.
- (j) Life-care center.
- (k) Business and professional offices.
- (l) Gasoline service station, which may include the sale of gasoline as an accessory use.
- (m) Shopping center.
- (n) Day care, child or adult.
- (o) Hotel or motel.
- (p) Mobile/manufactured home park in accordance with § 205-64B of this Chapter 205.
- (q) Medical facility for patient care that is supplementary to normal hospital services, but not including a hospital.
- (r) Hospital.
- (s) Cyber charter school campus
- (t) Conference center.
- (u) Treatment center.
- (v) Exercise/health/tennis clubs.
- (x) Fire or ambulance station.

B. Contents. The Pipeline Study shall contain the following information:

(1) Background information.

(a) A general description of the tract subject to the application, including lot area, topography, watercourses, vegetation, landscaping, existing improvements including buildings, structures, driveways, parking, loading areas, fire hydrants, surrounding uses, etc.

(b) A specific description of the Hazardous Liquid Pipelines and Natural Gas Transmission Pipelines located within 660 feet of the tract which is the subject of the proposed land development, PRD or conditional use which shall include:

[1] Size of pipeline.

[2] Number of pipelines.

[3] Width of easement.

[4] Materials transported through the pipeline.

(2) Applicant's engineer shall prepare an assessment of the potential impacts to health, safety and welfare of the occupants and buildings associated with the proposed land development, PRD or conditional use due to the proximity of the Hazardous Liquid Pipeline or Natural Gas Transmission Pipeline.

(3) Measures that the Applicant may implement to mitigate the potential impacts to the health, safety and welfare of the occupants and buildings associated with the proposed land development, PRD or conditional use, including but not limited to: design alternatives, reconfiguration of buildings, access driveways, interior driveways and parking lots, additional means of access, additional and/or enhanced fire protection measures and devices, enhanced emergency communication systems, use of specific building materials, increased setbacks, buffering, landscaping, conservation of existing vegetation, and any other appropriate measures permitted under the terms of this chapter and other Township ordinances.

C. As part of the review of the preliminary plan submission, tentative PRD plan submission or conditional use submission for the uses specified in §205-40.1.A(3) above, the Planning Commission and Board shall consider the contents of the Pipeline Study and evaluate if the respective plans appropriately address the potential impacts to the health, safety and welfare of the occupants and buildings associated with the Hazardous Liquid Pipelines and Natural Gas Transmission Pipelines located within 660 feet of the tract which is the subject of the proposed land development, PRD or conditional use. The Planning Commission and Board may seek input from the Emergency Management Coordinator, Fire Marshall, Fire Chief, utility providers, Township Authorities, Boards and Commissions or any other person or entity with experience or knowledge of Hazardous Liquid Pipelines and Natural Gas Transmission Pipelines. As a result of such review, the Planning Commission and Board may require the

Applicant to revise its plans to mitigate potential impacts to the health, safety and welfare of the occupants and buildings caused by the proximity of the Hazardous Liquid Pipeline or Natural Gas Transmission Pipeline to the proposed development, PRD or use.

D. In addition to submitting the Pipeline Study, in cases where there is a Hazardous Liquid Pipeline or Natural Gas Transmission Pipeline on or under the tract to be developed for the applications referred to in §205-40.1A(1), (2) or (3), the applicant shall provide to the operator of the Hazardous Liquid Pipeline and Natural Gas Transmission Pipeline a copy of the plans and applications filed with the Township. The applicant shall request the pipeline operator(s) to review the proposed development plans and submit written verification that the pipeline operator(s) has received and reviewed the development plans and provided comments concerning the impact the development will have upon the integrity of the pipeline(s). The applicant shall submit to the Township all comments received from the operator or a notice from the operator indicating that the operator has no comments. If the operator does not respond within 30 days after being contacted and provided information by the applicant, the Township may waive the requirement for written verification.

SECTION 3. Chapter 240 of the East Goshen Township Code, titled, "Zoning" shall be amended by amending Section 240-31.B(3) to add the following sentence at the end of the existing language:

"In addition to the development plans, an applicant shall submit a Pipeline Awareness Study for the following uses when such uses are the principal use of a tract and are permitted as a conditional use:

- (a) Any residential development.
- (b) Township park.
- (c) Place of worship or religious institution, excluding hospitals, sanitariums, penal or corrective institutions.
- (d) Public or private primary or secondary school.
- (e) Publicly owned recreation.
- (f) Public utility facility.
- (g) Private recreation facility.
- (h) Church or place of worship.
- (i) Nursing home or personal-care center.
- (j) Life-care center.
- (k) Business and professional offices.
- (l) Gasoline service station, which may include the sale of gasoline as an accessory use.
- (m) Shopping center.
- (n) Day care, child or adult.
- (o) Hotel or motel.
- (p) Mobile/manufactured home park in accordance with § 205-64B.

- (q) Medical facility for patient care that is supplementary to normal hospital services, but not including a hospital.
- (r) Hospital.
- (s) Cyber charter school campus
- (t) Conference center.
- (u) Treatment center.
- (v) Exercise/health/tennis clubs.
- (w) Fire or ambulance station.

SECTION 4. Chapter 240 of the East Goshen Township Code, titled, "Zoning" shall be amended by amending Section 240-31.B(7) to add the following sentence at the end of the existing language:

"The Board shall require an applicant to submit a Pipeline Awareness Study for the uses specified in Section 240-31.B(3) above."

SECTION 5. Severability. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts hereof. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included herein.

SECTION 6. Repealer. All ordinances or parts of ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

SECTION 7. Effective Date. This Ordinance shall become effective five days from the date of adoption.

ENACTED AND ORDAINED this _____ day of _____, 2021.

ATTEST:

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS**

Louis F. Smith, Secretary

David E. Shuey, Chair

Michael P. Lunch, Vice-Chair

John Hertzog, Member

E. Martin Shane, Member

Michele Truitt, Member

64581



INVOICE

Remit Payment To:
Pennoni Associates Inc.
P.O. Box 827328
Philadelphia, PA 19182-7328

Louis Smith, Twp Mgr.
East Goshen Township
1580 Paoli Pike
West Chester, PA 19380-6199

Invoice No : 1060549
Invoice Date : 02/22/2021
Project : EGOS0013
Project Name : Sunoco Pipeline-
Noise&Vibration Mon

For Services Rendered Through 01/24/2021

Coordination, emails, discussions and telephone conversations with staff, Township staff to complete surface water testing at three (3) locations. Coordinate and complete lab tests, provide results, summary/analysis and review same with Township staff.

Labor

	Hours	Rate	Amount	
Township Engineer	2.50	132.00	330.00	
Senior Professional	1.00	125.00	125.00	
Project Professional	8.75	111.00	971.25	
Associate Professional	4.50	97.00	436.50	
Totals	16.75		1,862.75	
Total Labor				1,862.75

Consultants

Engineering Servs-direct				
12/23/2020	TestAmerica Laboratories, Engineering Services		1,384.35	
	Inc./dba Eurofins			
	TestAmerica			
Total Consultants			1,384.35	1,384.35

Reimbursable Expenses

Miscellaneous Job Expense				
12/16/2020	Pine Environmental Services Inc.	Horiba Water Meter - Rental	308.33	
Total Miscellaneous Job Expense			308.33	308.33
Total Reimbursables				

Total this Invoice \$3,555.43

APPROVED BY: _____
DATE PAID: _____
CHECK #: _____
CHARGED TO: 1408,3130

INVOICES DUE ON RECEIPT. Invoices outstanding over 30 days will have a Service Charge of 1 1/2% per month.