

Clinton Township
Ordinance No. 2023-02
Amendments to the Zoning Ordinance 185

Purpose

The purpose of this Ordinance is to amend the Zoning Ordinance as it pertains to the process of gas and oil drilling for clarification, consistency and reference corrections.

Revisions to Section 185-64 Gas and Oil Drilling

A (5) Developer shall clear mud and debris from roads every four hours, or as necessary.

A (8) No construction debris, trash or garbage may be buried or burned on site.

B Additional definitions for Conventional and Unconventional Gas Wells

C (2) (f) If any weight-restricted Township Roads will be used by the applicant for any oil and gas development or operation, the applicant shall comply with any applicable Township ordinances, PennDOT regulations, Township Road bonding requirements and provide proof of bonding of said roads and enter into a road maintenance agreement with the Township. In lieu of road bonding, the Township and the applicant may mutually agree to other terms to provide for restoration of the affected road(s). Any paving of Township Roads, shall be paved with virgin material.

C (3) Minimum lot requirement. Oil and gas well site development shall only be permitted to be located on property that is a minimum of five acres for a vertical conventional well site and 10 acres or larger for a nonvertical unconventional site. Multiple properties may be combined to meet the five- or ten-acre applicable minimum acreage requirement. Any oil or gas well shall be located a minimum of 200 feet from an adjoining property line and 500 feet from the nearest dwelling.

C (5) (a) Access roads to nonvertical unconventional, vertical conventional and unconventional well pads that intersect a Township Road shall follow the PennDOT specifications for access roads and shall be constructed in a manner acceptable to the township including the following: paving the first 150 feet followed by rumble or tire cleaning strips and improving the remaining surface length with limestone in a manner that would minimize stormwater runoff, dirt, mud, and debris from being carried onto any public road. This shall be in place prior to the commencement of drilling operations.

C (5) (b) Any debris that does travel and accumulate onto a public road, as a result of the access road, must be cleaned up within a reasonable amount of time, not to exceed four hours, so as to decrease or minimize the potential for damage to the public roads and vehicular traffic on the public road.

C (5) (d) The applicant shall take the necessary safeguards to ensure that the paved Township roads utilized shall remain free of dirt, mud, and debris resulting from development activities and/or shall ensure such roads are promptly swept or cleaned of dirt, mud and debris accumulations within four hours of the occurrence.

C (8) Noise standards. For oil and gas well site development, including construction, noise levels shall be equal to or less than 75 dBA at the property line or property lease line dividing the site developed and all adjoining properties. After well site development is complete and the well is in production, noise levels shall be in compliance with Chapter 88-7. In the event that an applicant is unable to meet the aforementioned requirements, the applicant shall either utilize appropriate noise mitigation measures that may include sound barriers or such technology or devices that will allow the applicant to meet said noise requirements.

C (15) All permanent utilities installed to the site and on the site shall be installed underground.

C (16) Type I Screening shall be used on the site in accordance with § 185-62B of this chapter and shall be in place within 90 days after the first well is completed. Alternate screening plans may be presented to the Board of Supervisors for approval so long as the rural character of the Township is preserved.

D (2) No natural gas compressor station or natural gas processing plant shall be located closer than 1,000 feet from any dwelling or occupied structure, but not limited to, library, school, place of worship, park, playground, athletic field, or outdoor sports complex.

D (3) (a) All natural gas compressor stations, regardless of size, must be located on a minimum of

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10 acres and adhere to all bulk and dimensional requirements concerning setbacks and building lines (lot size in the bulk and dimensional requirements does not supersede the required 10 acres stated above.) Any natural gas compressor station shall be located a minimum of 200 feet from an adjoining property line. All natural gas compressor stations must be totally enclosed in a structure designed to suppress noise and meet the noise requirements of the Township's ordinance.

D (5) A copy of the applicant's erosion and sediment control plan (ESCGP-2) (if required by regulation) and post-construction stormwater management plan prepared by a licensed professional (e.g., engineer, surveyor, geologist or landscape architect) who is registered in Pennsylvania shall be submitted to the Township. Said professional should have attended training provided by Pennsylvania Department of Environmental Protection, Office of Oil and Gas Management, on erosion and sediment control and post-construction stormwater management for oil and gas activities.

D (7) (a) For natural gas compressor stations, natural gas processing plants, or interconnects/metering stations, noise level limits shall be in accordance Chapter 88-7. These noise level limits shall apply to all new compressor stations, processing plants, and interconnect/metering stations and all existing compressor stations, processing plants, and interconnect/metering stations being modified under a DEP permit. See provisions below for details surrounding modifications.

D (7) (b) A background noise study/noise survey using a noise consultant that is certified and conducts the testing according to ANSI standards must be performed before the facility is put in service as well as immediately after the facility is put online and fully operational. The study shall be conducted on all four sides at the property line and at three heights or elevations, six feet off the ground, 25 feet off the ground, and 50 feet off the ground. A survey shall be conducted both during the daylight hours of 7:00 a.m. to 7:00 p.m. and also during evening hours of 7:00 p.m. to 7:00 a.m. The survey with all supporting data shall be submitted to the Township for review. The cost of the study and review by the Township shall be paid for by the owner or operator of the facility. A background noise study shall also be required at a location specified by the Township in the event that data is collected by residents or the Township showing violations of the noise level limits stipulated above.

D (7) (c) These noise level limits shall be in effect at the property line dividing the site developed and all adjoining properties for heights above ground level of six feet, 25 feet, and 50 feet if the facility is regulated by the Public Utility Commission (PUC). In the event that an applicant is unable to meet the aforementioned requirements, the applicant shall either utilize appropriate noise mitigation measures that may include sound barriers or such technology or devices that will allow the applicant to meet said noise standards. Additionally, the applicant must promptly address any persistent vibrations that emanate from the facility in question and negatively impacts a resident or property owner.

D (7) (d) If the facility is regulated by the Federal Energy Regulatory Commission (FERC), then the noise level limit shall adhere to FERC guidelines in all cases and in all zoned districts and at all times at the first noise sensitive area (NSA) with "NSA" defined in the FERC regulations.

D (7) (e) If any modifications to the facility are made or an additional compressor(s) are added to the facility, then the noise study described above shall be repeated. Modifications to a facility shall include the addition of compressors, increasing the capacity of existing compressors, replacing equipment or adding other equipment to the facility. Any increase in compressor station output requiring a DEP permit amendment shall be considered a modification. The Township shall receive copies of any and all applications and reports submitted to the Pennsylvania Department of Environmental Protection regardless of whether the submittals are for application purposes, monitoring, or permit modifications.

D (13) Interconnect/metering stations shall only be permitted to be located on property that is a minimum of 5 acres. Any interconnect/metering station shall be located a minimum of 200 feet from an adjoining property line and 500 feet from the nearest dwelling.

D (15) Processing plants shall only be permitted to be located on property that is a minimum of 10 acres. Multiple properties may be combined to meet the 10-acre minimum. Any natural gas processing plant shall be located a minimum of 200 feet from an adjoining property line.

D (21) Access roads. Access to any natural gas compressor station, natural gas processing plant or interconnection/metering station shall be arranged to minimize danger to traffic and nuisance to surrounding properties and to maintain the integrity of Township roads. The following shall apply:

D (21) (a) Access roads that intersect a Township Road shall follow the PennDOT specifications for

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access roads and shall be constructed in a manner acceptable to the Township including the following: paving the first 150 feet followed by rumble or tire cleaning strips and improving the remaining surface length with limestone in a manner that would minimize stormwater runoff, dirt, mud, and debris from being carried onto any public road. This shall be in place prior to the commencement of construction operations.

D (21) (e) All roads and accessways shall be constructed and maintained to minimize the accumulation of dust and mud from the surrounding area. A method of dust abatement shall be utilized during dry weather and under no circumstances shall brine water, sulfur water or water in mixture with any type of hydrocarbon be used for dust abatement.

D (22) All permanent utilities installed to and on the site shall be installed underground.

D (24) Record drawings. Within 45 days after the completion of the construction or installation of facilities, the applicant shall furnish the Township Secretary with two copies of record drawings which depict the exact location, size, and shape of the physical facilities constructed. GPS coordinates shall be provided on the record drawings.

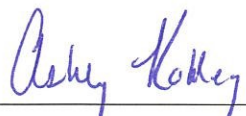
F (3) Record drawings. Within 45 days after the completion of the construction or installation of the pipeline or pipelines, the applicant shall furnish the Township Secretary with two copies of record drawings which depict the exact location, size, and shape of the pipeline or pipelines constructed. GPS coordinates shall be provided on the record drawings.

BE IT ORDAINED AND ENACTED BY THE CLINTON TOWNSHIP BOARD OF SUPERVISORS this 13 day of September, 2023, that the preceding shall be enacted as part of the Clinton Township Consolidated Ordinances as a Revision to Section 185-64, Parts – A (5); A (8); B; C (2) (f); C (3); C (5) (a); C (5) (b); C (5) (d); C (8); C (15); C (16); D (2); D (3) (a); D (5); D (7) (a); D (7) (b); D (7) (c); D (7) (d); D (7) (e); D (13); D (15); D (21); D (21) (a); D (21) (e); D (22); D (24); F (3) as shown above.

ATTEST:

CLINTON TOWNSHIP

BOARD OF SUPERVISORS:




Township Director

By: 

Chairperson

By: 

Vice Chairperson

By: 

Supervisor

