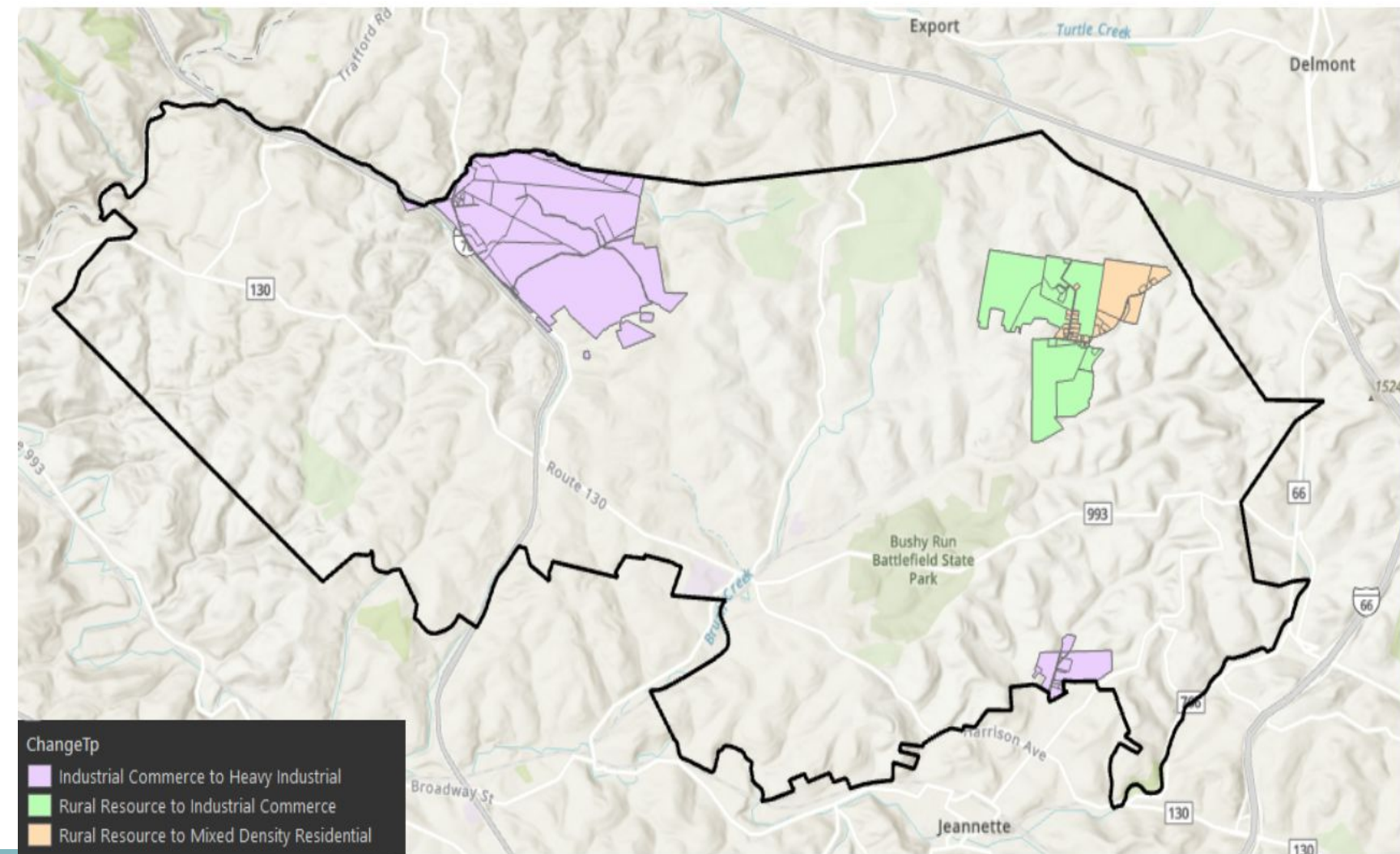


# Penn Township Resident ReZoning Meeting

March 18, 2025 @ 7 pm

PPT's Community

Environmental Education Center



# Who is Protect PT?

Protect PT (Penn-Trafford) is a nonprofit organization dedicated to ensuring residents' safety, security, and quality of life by engaging in education and advocacy to protect the economic, environmental, and legal rights of the people in Westmoreland and Allegheny counties.

Since starting as a group of neighbors working together to protect their neighborhood from fracking in late 2014, Protect PT has grown to a community-based organization with staff, volunteers, and members.

Learn more at [protectpt.org](http://protectpt.org)

## OUR GOALS



**Educate** residents and local lawmakers with factual and important information so they may better protect themselves.



**Empower** residents to get involved in the local government process.



**Engage** our lawmakers directly at local meetings and hearings to ensure our rights are protected.

# Why We Are Here

The Penn Township Commissioners want to place heavy industry in close proximity to your homes, businesses, senior living facilities, and churches. For those who keep animals, being in close proximity to industrial activity also causes stress and health complications.



# Why Does This Impact You?



- ❖ When you purchased your home and developed your property, you did not expect that your investment be wiped out when an industrial development is built next door or across the street.
- ❖ Penn Township Commissioners have been working behind closed doors since February to rezone a large chunk of the township to HEAVY industrial, not telling the residents most affected until the decision came to vote a mere month prior.
- ❖ Your property values and quality of life are at risk, you have an investment-backed expectation that your neighborhood will not change drastically overnight but this is, in fact, what is happening.



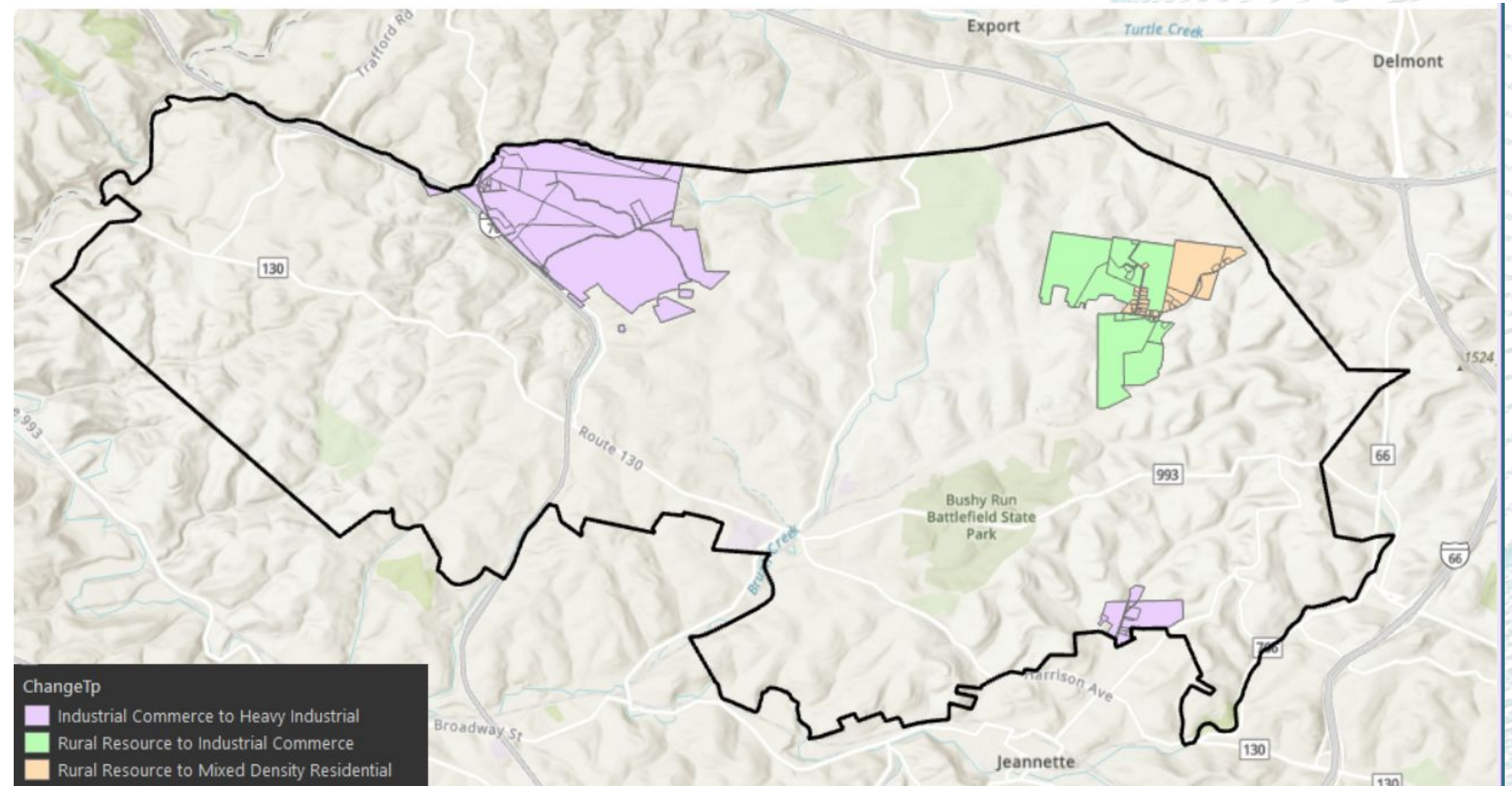
# Why Does This Matter?

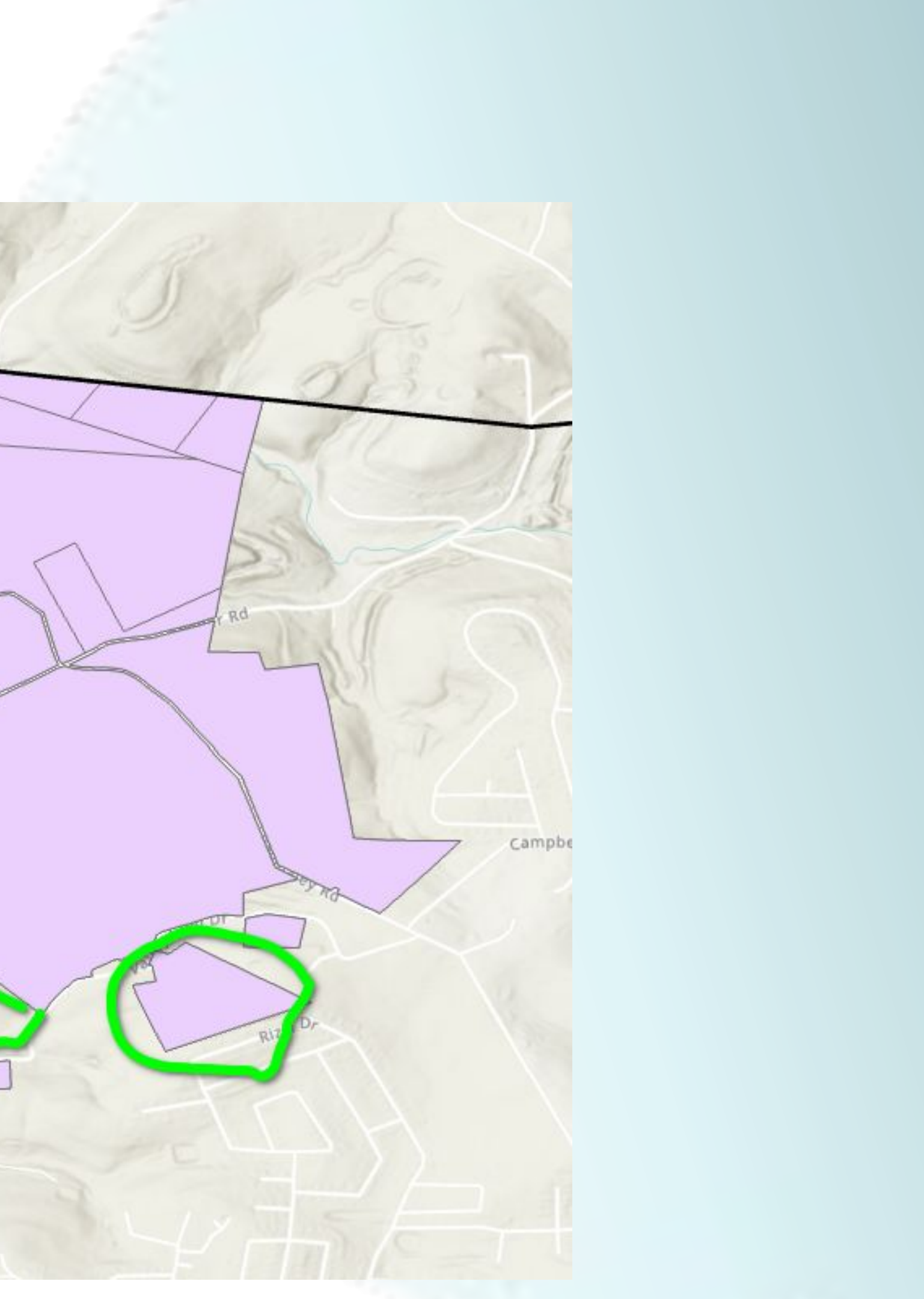
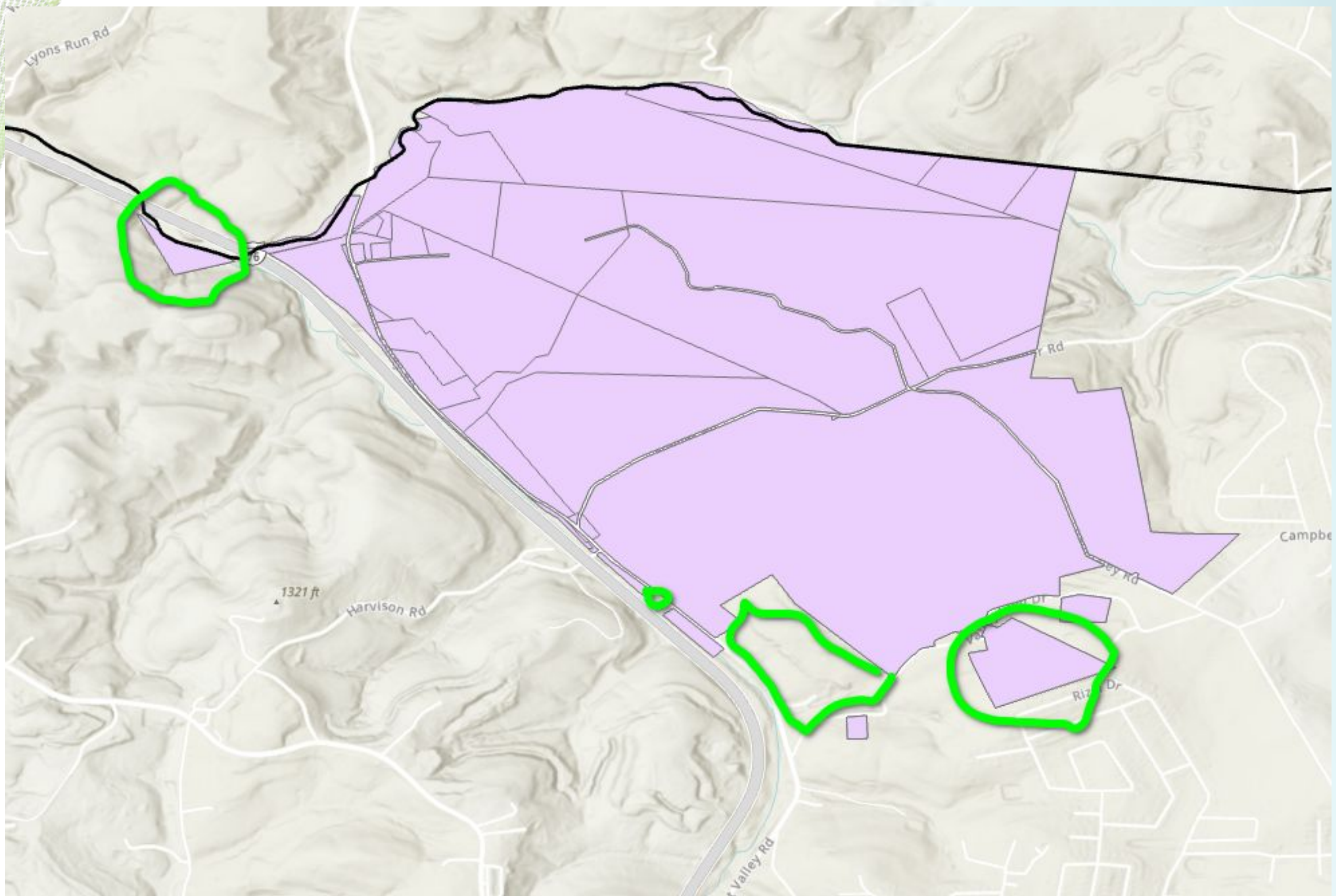


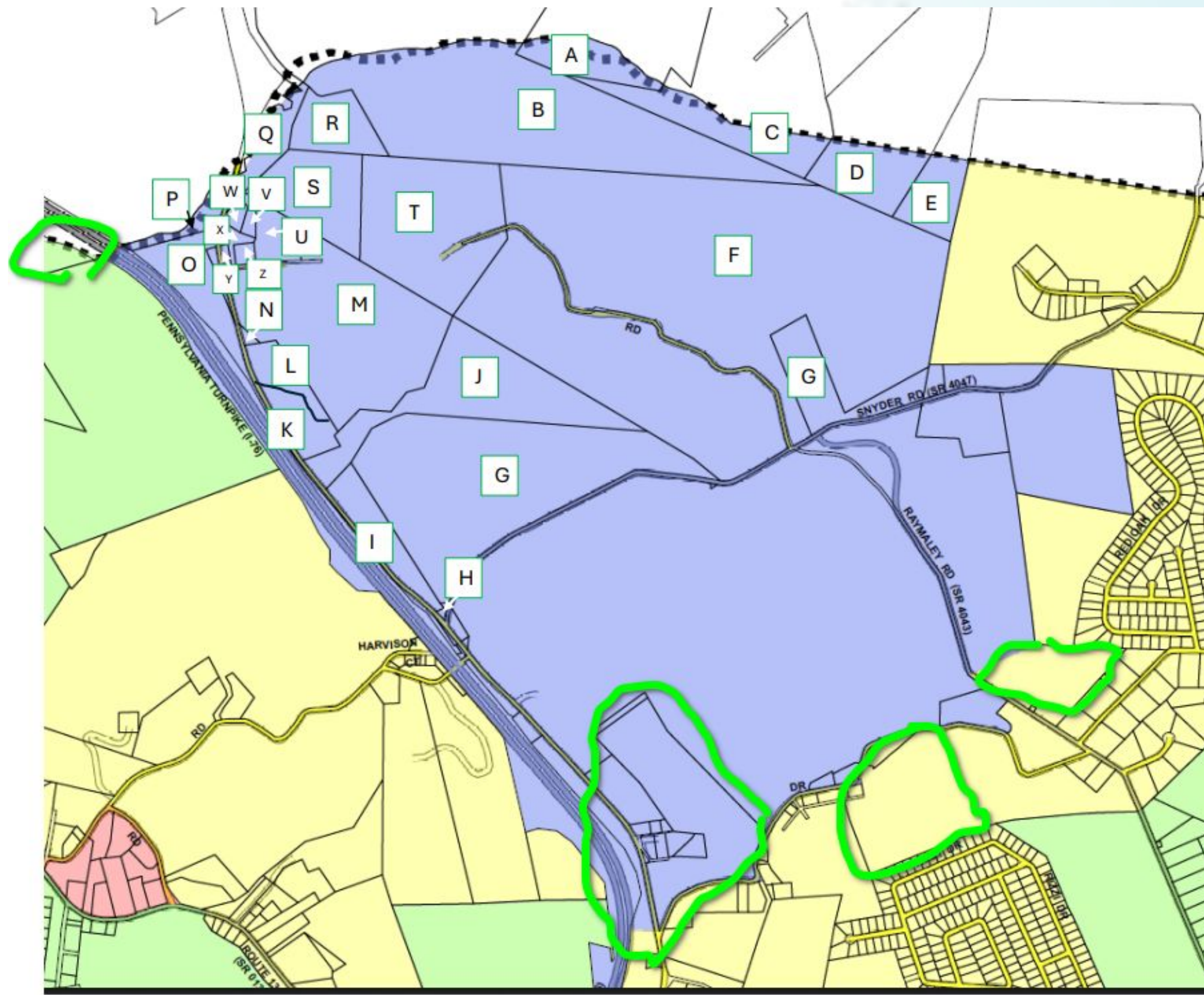
- ❖ The Township taxes are based on millage, so that the amount of tax revenue that is generated depends on the appraised value of any one lot.
- ❖ When this area is rezoned to from Rural Resource to Industrial Commerce, the property values of the neighboring properties will drop significantly, creating a *loss* of revenue.
- ❖ The proposed Industrial Commerce area will *exclude* residential development, which is the *most valuable* type of property development for tax revenue.
- ❖ Currently in Rural Resource, a home can be built with 5 plus acres, keeping to the rural character of the zone while providing for similar uses to what is currently there.

# Why Does This Matter?

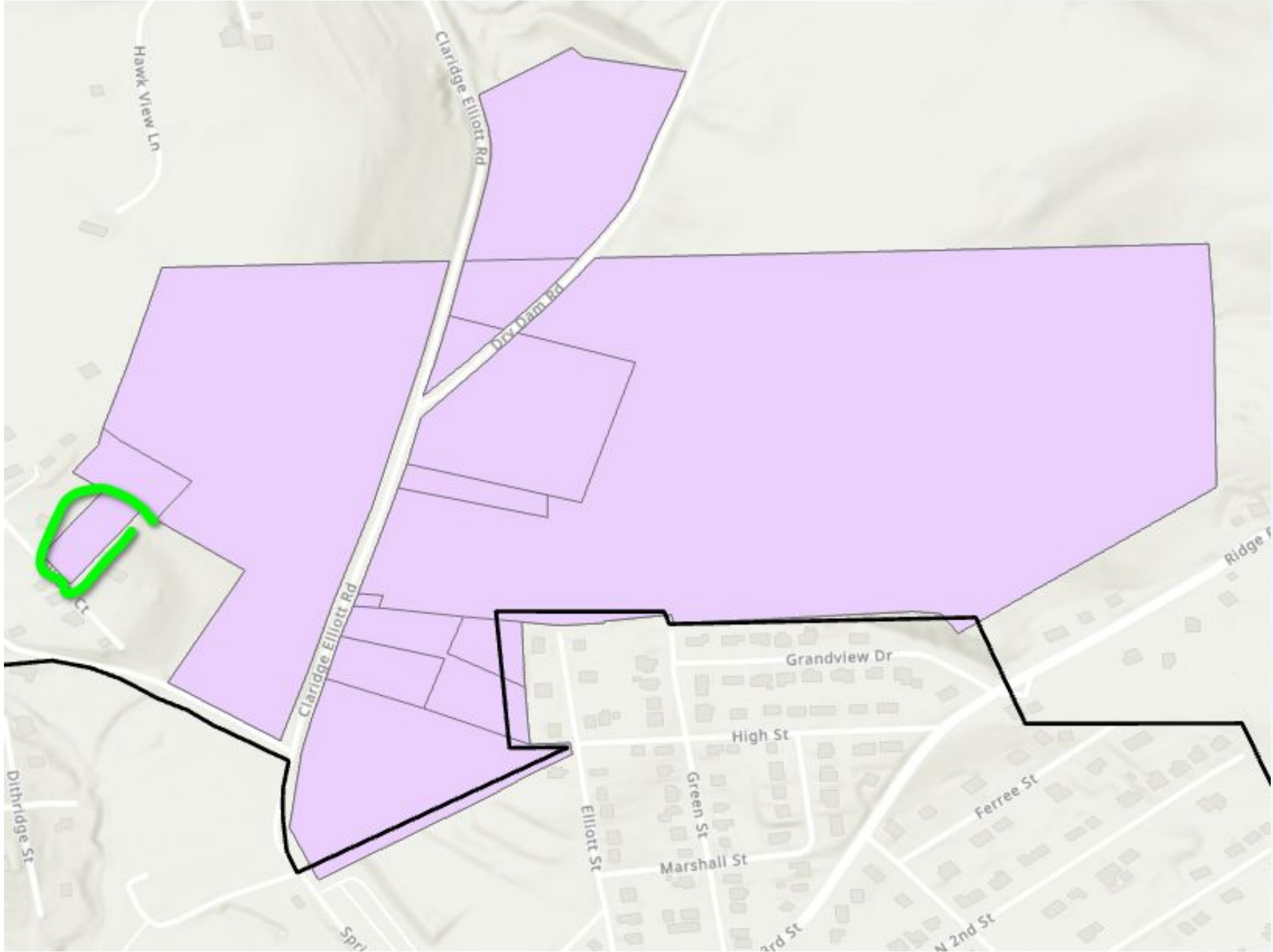
- ❖ Your taxes will go up, while the value of your property goes down, due to loss of tax revenue that will have to be made up by increasing the mileage.
- ❖ The homes located between the two proposed rezone areas will become “residentially zoned islands” because they will be surrounded by industrial land on most, if not all, sides.
- ❖ Parcels on this map have potential to be distorted

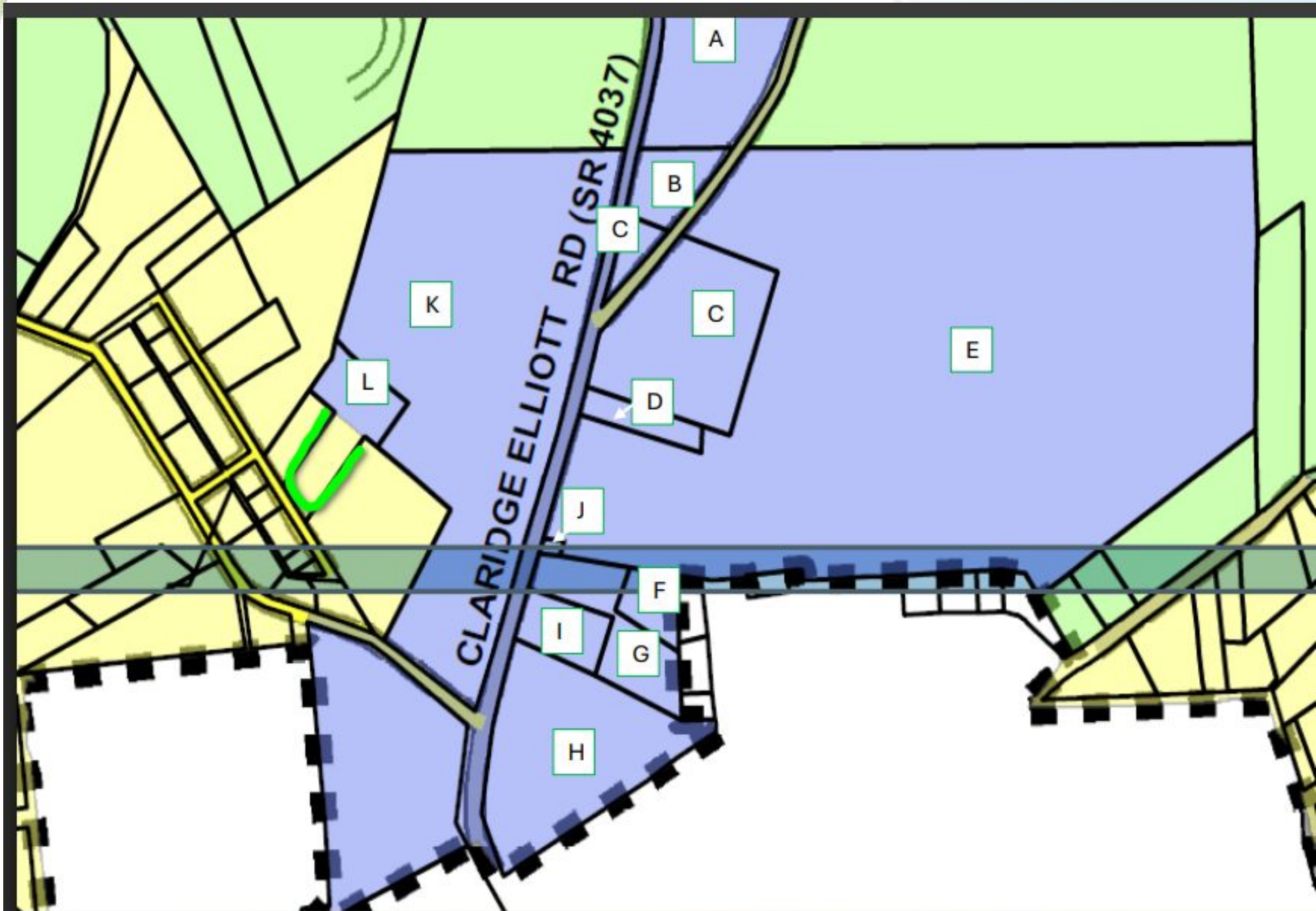


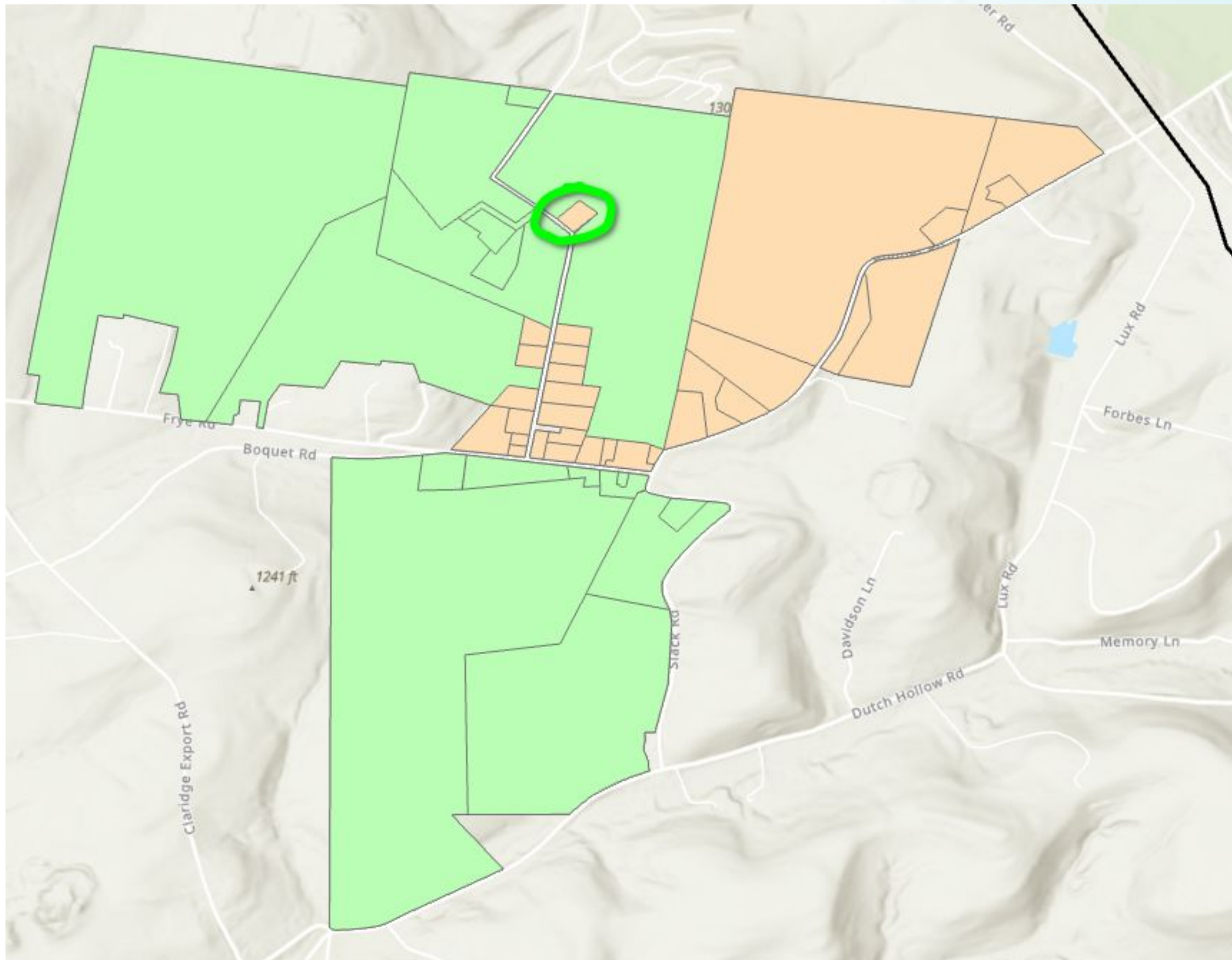










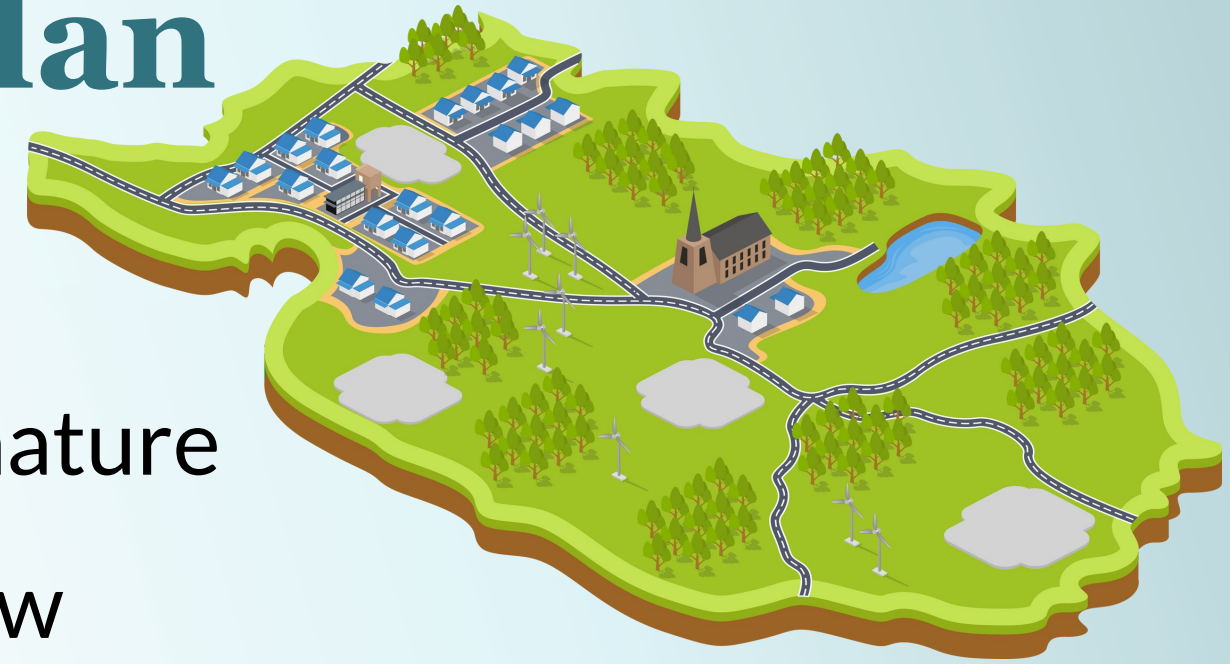


# Penn Township Comprehensive Plan

- ❖ The township spent considerable time and money developing a comprehensive plan for development and it was completed in 2020.
- ❖ The stated goals and objectives are to **protect personal property, improve public safety, grow the non-residential tax base, and improve regulation effectiveness.**
- ❖ Expansion of the Industrial Commerce zone conflicts with the stated goals because the first goal is to protect personal property. Expanding the IC zone into what is now Rural Resource will diminish the property values of hundreds of homeowners while not significantly increasing the tax base (and likely shrinking the tax base).

# Penn Township Comprehensive Plan

- ❖ Penn Township is a bedroom community for the most part. Expanding the Industrial Commerce zone will destroy the nature of the community and cause property values around the new zoning to plunge.
- ❖ There are other areas and other zoning classifications that would be more effective in expanding the non-residential tax base, without destroying the property values of current residents, and without permanently altering the community that exists. For example, Neighborhood Commercial, or Mixed Density Residential.



# What is the hearing process?

- ❖ On **March 26, at 6:00 PM**, the Board of Commissioners will conduct a public hearing on whether to pass the [proposed ordinance](#).
- ❖ Protect PT plans to challenge the ordinance. We will require the following:
  - Members of Protect PT who live in reasonable proximity to the changes, the more the better;
  - Members of Protect PT who are willing to be challengers to the proposed changes
- ❖ Protect PT intends to engage the legal services of Smith Butz, and John Smith.
  - Mr. Smith specializes in municipal law and is the solicitor for a number of municipalities;
  - Mr. Smith was the attorney who brought the Robinson Township case that finally obtained recognition of the Environmental Rights Amendment before the Supreme Court in 2013
- ❖ Protect PT and John Smith will develop materials concerning how the proposed ordinance was written, who participated, and what were the stated goals. We will be looking whether there are any financial interests at stake and who is involved.

# What is the basis of the challenge?

- ❖ The [new map](#) creates what is called “Spot Zoning.” This is prohibited.
- ❖ The new map was not properly advertised. The final maps that were provided to the general public were incomprehensible to the ordinary citizen.
- ❖ The Township was required to give 30 days written notice to property owners who were directly affected by the new mapping as required by the MPC.
- ❖ The Township failed to notify municipalities bordering the proposed changes as required by the MPC.
- ❖ The new map does not advance the goals of the Comprehensive Plan of 2020 <https://penntwp.org/comprehensive-plan-update/>
- ❖ The amendments to the ordinance disproportionately impact long time residents in favor of new development.

# What does the Penn Township Ordinance Allow?

- ❖ Unconventional gas development is a Special Exception in Penn Township requiring a Zoning Hearing.
- ❖ Protect PT appeared before the Penn Township Zoning hearing board for each well pad.
- ❖ The township approved all the well pads after a \$380 mil dollar lawsuit by Apex.
- ❖ After the hearing board approved the pads, we appealed at higher courts but did not get better results.
- ❖ The Draftina permits, issued pursuant to the Consent Order in 2017, have expired pursuant to the Ordinance itself, because Special Exception permits expire after 24 months if not completed or acted upon. Protect PT has appealed further activity at the Draftina site to the Court of Common Pleas of Westmoreland County, since these permits expired.



# Unconventional gas wells and their effects

- ❖ Gas wells are a heavy industrial activity;
- ❖ Activities include operation of enormous machinery, heavy large truck traffic, hundreds of thousands of gallons of toxic, and radioactive waste water;
- ❖ Constant and continuous loud noise, throughout the day and night;
- ❖ Brilliant light throughout the night, spillover into the residential community;
- ❖ Potential permanent fouling of private water wells, streams and ponds, and groundwater;
- ❖ Potential for explosions, discharge of toxic gas, water, and chemicals;
- ❖ Decrease in property values.

# Current Penn Township Gas Ordinance

Enacted September 2016, it has many shortcomings.

It allows:

- ❖ Gas wells within 600 feet of homes, churches, schools, and private water wells;
- ❖ Gas wells within 300 feet of streams, lakes, and wetlands;
- ❖ Haphazard development of future gas wells;
- ❖ Haphazard installation of toxic waste impoundments and other toxic waste disposal practices;
- ❖ Burial of radioactive waste on the well pad itself;
- ❖ There are no specific protections for residents and their property;

# What would be an appropriate ordinance

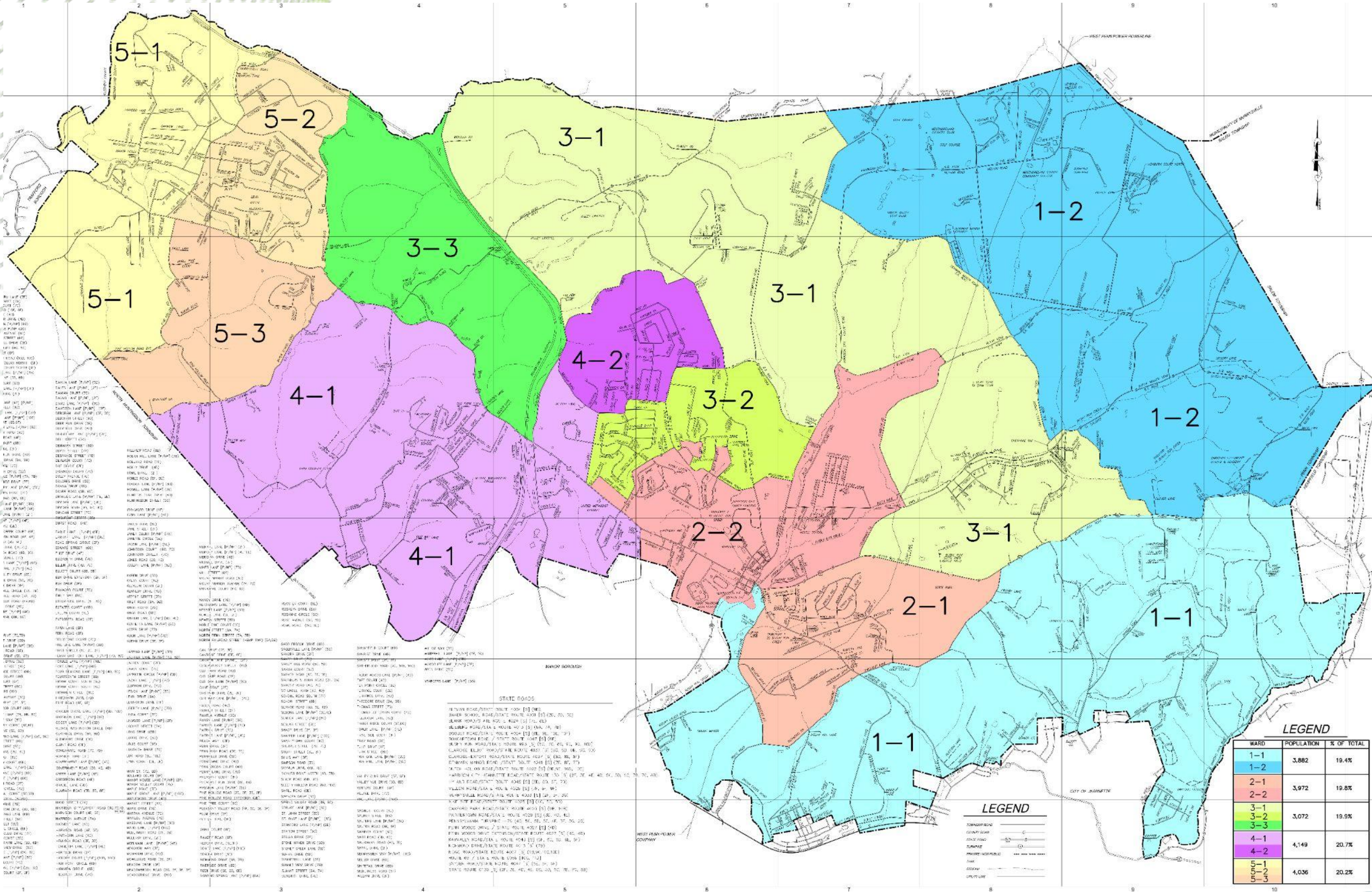
- ❖ In order to adequately protect the citizens of Penn Township the Ordinance should provide:
- ❖ Adequate setback provisions, currently 600 feet, we propose 2,500 feet;
- ❖ A ten year plan for future proposed development associated with the gas well at issue;
- ❖ Bonding and insurance in a minimum of 25 million dollars in the event of accidents involving people and property;
- ❖ Adequate studies, and documentation of proposed plan and its effects;
- ❖ Specified fines and penalties for failure to comply with the Ordinance.
- ❖ **Protect PT has drafted such an ordinance, and the Commissioners have a copy.**

# Examples from other ordinances:

We are using precedent set by other municipalities:

- **Insurance or bonding of \$25 million:** Indiana Township, Oakmont,
- **Fines for violations:** Bell Acres \$600 per day; Center Township, \$500 per day; Economy Borough \$500 per day; Center Township (Butler), \$1,000 per day
- **Other requirements, studies:** Bell Acres (Hydro, Air, thermo, environmental, noise, traffic); North Fayette (Traffic, noise, yearly review for no violations); Economy Borough (noise, traffic, transmission plan, no construction between sunset and sunrise); Center Township (Butler), (E&S, traffic, listing and copies of all previous enforcement actions, fines or penalties,)

# Penn Township Board of Commissioners



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- [ishulacom1@penntwp.org](mailto:ishulacom1@penntwp.org)

- Ward 2, Lisa Rose Zaucha

- 724-744-2172

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- Ward 3, Chuck Konkus

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- Ward 4, Chuck Miller

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- [cmiller@penntwp.org](mailto:cmiller@penntwp.org)

- Ward 5, Jen Ramien

- 412-335-6681

- [jramien@penntwp.org](mailto:jramien@penntwp.org)

# Next Steps

1. Show up for the hearing and make a comment
2. Email and call your commissioner. Obtain talking points from Jim, Dylan, or Gillian.
3. Go to the upcoming Penn Township meetings and tell all the commissioners that they shouldn't implement this zoning change, as well as looking to create a protective ordinance, like the one proposed by Protect PT, that protects residents' quality of life
4. Donate/[Become a member today!](#)



## CONTACT US

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