



THE VANTAGE POINT



American Planning Association
Pennsylvania Chapter

Making Great Communities

A Publication of the Pennsylvania Chapter of the American Planning Association



Who?

The Pennsylvania Chapter of the American Planning Association

What?

2015 Annual Conference

When?

Sunday, October 18 through
Tuesday, October 20

Where?

Westin Convention Center
Pittsburgh

Why?

Skills building...networking...
top-notch education...new
and improved products and
services on display...new ideas...
reconnecting with fellow
planners, planning officials, and
students...and it's Pittsburgh
– *The Atlantic* ranks Pittsburgh
near the top of the list of the
ten best places to pursue the
American dream.

APA-PA 2015 annual conference



Making GREAT COMMUNITIES Happen

Our 2015 Conference Planning Committee has been hard at work meeting, talking and planning to ensure that this year's Annual Conference will exceed everyone's expectations.

Plans include 5 exciting mobile/walking/biking workshops:

- Pittsburgh's Three Rivers Heritage Trail Bike tour
- Pittsburgh as Planning History: A Mobile Tour
- Over the River & Up the Hill Transportation History Tour
- Emergent Millvale: How Diverse, Citizen-led Projects Can Collectively Create Effective Place-making
- Walking Exploration of Pittsburgh to Find 14 Patterns of Biophilic Designs

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PHOTO CREDIT: KEVIN SMAY



PHOTO CREDIT: KEVIN SMAY



CALVARY

The Planning Committee was very fortunate in that there was an abundance of submissions to the Call for Presentations. **Presently there are 50 concurrent sessions plus three plenaries.** As always CM credits will be available for most sessions, including Law and Ethics.

You can expect to find sessions on current environmental and conservation issues, transportation, hazard mitigation/disaster planning, community and economic development, local governance, changing demographics, core MPC tools, technology and more. **New this year is a session of fast, fun fervent presentations!**

Monday morning will kick-off with a presentation by **Gil (Guillermo) Penalosa, MBA, PhDc,** the Founder and Chair of the Board, **8-80 Cities.**

Gil Penalosa is passionate about cities for all people. Gil advises decision makers and communities on how to create vibrant cities and healthy communities for everyone regardless of social, economic, or ethnic background. His focus is on the design and use of parks and streets as great public places, as well as sustainable mobility: walking, cycling and public transit. 8-80 Cities was created based on a simple philosophy; if you create a great city for an 8 year old and an 80 year old, you will create a successful city for all people. Gil also runs his own international consulting firm - Gil Penalosa & Associates and is an accomplished presenter and inspirational speaker. Because of Gil's unique blend of pragmatism and passion, his leadership and advice is sought out by many cities and organizations. Over the past 8 years, Gil has worked in over 180 different cities across six continents.



GIL PENALOSA

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2015 Annual Conference October 18 - October 20

PHOTO CREDIT: KEVIN SMAY



CATHEDRAL

PHOTO CREDIT: KEVIN SMAY



MARKET SQUARE FARMERS MARKET

Monday's Pitkin lecture features **James Braseull**. James is a writer and editor, producing web and print content on the subjects of urbanism, architecture, and planning. He manages all editorial content and direction for *Planetizen*, the popular urban planning-based news and information website founded in 2000. After a first career as a class five white water river guide in Trinity County in Northern California, James started his career in Los Angeles as a volunteer at a risk reduction center in Skid Row. Prior to joining *Planetizen*, James worked at the Cal Poly Pomona College of Environmental Design, as editor at *Curbed LA*, editor of *The Planning Report*, and as a freelance contributor for *The Architect's Newspaper*, the Urban Land Institute – Los Angeles Chapter, FORM, KCET, and the California Planning & Development Report.

There will be lots of exhibitors there. It is a great way to learn about new products and services that suit your needs. Check out our website for info on exhibitors and sponsors! <http://planningpa.org/events-training/annual-conference/sponsors-exhibitors-advertisers/>

And of course, it wouldn't be an APA-PA Chapter event without time for networking. Be prepared to don your deck shoes and climb aboard the **Gateway Clipper** for an evening on the river on Sunday evening. There are also plans being made for Monday night. There is a fun surprise in the works following the Monday reception with the exhibitors.

And for those who want to do a little sightseeing, you had better plan for a few extra days! A city of 90 neighborhoods, three rivers, and year-round fun, come see for yourself why *Conde Nast Traveler* named Pittsburgh one of the "Top 15 Places to Go in 2015". www.visitpittsburgh.com is chock full of ideas: things to do (some are free), events and festivals, restaurants, museums, parks and zoos and an online coupon book. ♦

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Making Great Communities Happen

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Contact information is available at www.planningpa.org under "About Us!"



INSIDER

A Message from President **Brian O'Leary, AICP**

Hello Fellow Planners. This year, the national planning conference was held in Seattle. The city is booming, driven by Amazon's rapid expansion. Local boosters claim that Seattle is the fastest growing city in the US! It may be true, because there were a lot of cranes in the city putting up walkable, smart growth developments. Years ago, Washington State took an interesting approach to creating growth boundaries; instead of mandating growth boundaries for the whole state, they only required them for the growing cities in the west. This approach eliminated opposition from the rest of the state and allowed a very successful growth management program to be implemented. Maybe we can do something similar in Pennsylvania.

The leadership meetings were very interesting this year, and I'm glad to report that **APA is continuing to become more Chapter and member friendly.** They'll be redoing the website, creating a photo database (something we might want to think about here in Pennsylvania), providing more support for local advocacy, and bringing back the free welcome reception to the annual conference. In addition, they've come up with a list of 24 cities that can host the conference, and Philadelphia is on the list. (I'm not sure why Pittsburgh isn't but will continue to ask.)

There were lots of great sessions and presentations at the conference. I wanted to highlight a couple that might be useful to everyone:

- AARP has been doing a lot of work on livability. Although their research is focused on seniors, it's really applicable to all people. They have a **great new livability index tool for the whole country** that can be tailored to meet different definitions of livability. Just search

for "AARP livability index," and it will come up on your computer. My neighborhood, Wynnewood, scored 56 out of 100.

- **Pop-ups** are big everywhere, and they provide a relatively cheap, quick, and effective way to improve places and try out new ideas. Boise State University has been doing some in-depth research about all kinds of pop-ups all around the United States and the world. Hopefully, they'll publish this information soon.
- Our own Lancaster City has done some **great work on complete streets and green infrastructure.** There's a **nice guidebook** prepared by a team of Temple students which you can find on the Chapter website in our **Resource Library** at <http://planningpa.org/wp-content/uploads/Complete-Streets-Final-Report-Student-Award-Submission.pdf> that has been followed with a number of great projects around the city.

- For high tech businesses, it's interesting to see how important having a **high quality public realm** can be. So, keep pushing for public investment in our streets, parks, public art, street trees, bike facilities, sidewalks, streetscaping, wayfinding signs, and gathering places.

Hope to see you at the annual conference in Pittsburgh in October. ◆



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Central Section Update

By *Rachelle Abbott, AICP*

On Friday, May 15, 2015, Central Section of the APA Pennsylvania Chapter held its Spring Workshop, titled ***Building Resilient Communities through Hazard Mitigation***. The Workshop was held at the Linglestown Giant and forty planners attended. The day was filled with presentations by knowledgeable speakers that moved through the in-depth topic of Hazard Mitigation. The morning session focused on broad perspectives for planners and included a presentation by the Pennsylvania Emergency Management Agency's Tom Hughes and Ernie Szabo, who discussed the "Planners Role in Hazard Mitigation." A dynamic team from Michael Baker International continued the morning with tips and tricks on "Elevating your Hazard Mitigation Plan." The afternoon session focused on "Local Perspectives on Hazard Mitigation Planning." Jeremy Young from the Pennsylvania Historic Museum Commission (PHMC) discussed the interrelated nature of historic preservation and hazard mitigation. Delving even more locally, the next presentations discussed actual projects in Dauphin County, Dover Township (York County), Lycoming County and the Town of Bloomsburg. Attendees received with a wealth of hazard mitigation planning and implementation information. The day was filled with intriguing questions and lively discussion.

Central Section held its election of **officers** and **proposed bylaw changes** in May of 2015. Below are the results:

- Rachelle Abbott, AICP, Central Section Chair
- Tara Hitchens, AICP, Central Section Vice Chair
- Pam Shellenberger, AICP, Central Section Secretary/Treasurer
- Michelle Brummer, AICP, Professional Planner
- Brandon Williams, AICP, Professional Planner
- Sandy Ballard, Planning Official Member at Large
- Jim Dunn, Planning Official Member at Large

Changes to the bylaws passed.

Central Section has also recently sent out a survey about hosting a Family Day at Knoebel's Amusement Park. If you are in the Central Section and did not receive the survey, please contact, Rachelle Abbott, AICP, at raabbott@stepcorp.org. ♦



welcome
New PA Chapter Members!

WE WELCOME THE FOLLOWING NEW MEMBERS who joined the PA Chapter over the past few months. The PA Chapter membership includes nearly 2,600 planning officials, professional planners, and others who care about how Pennsylvania continues to grow the places where we live, work, and enjoy recreation. The Board and staff are available to answer any questions. Feel free to contact the Chapter Office at 717-671-4510. Board member contact information is available at www.planningpa.org under **About Us**.

Individual Members:

Robert Behling, *Lehigh Valley/Berks Section*
Robert Ihlein, *Central Section*
Robert Leonetti, *Southeast Section*

Organizational Members:

McCormick Taylor, Inc., *Southeast Section* ♦

congrats! November 2014 AICP Recipients

Congratulations to those who passed the November 2014 AICP comprehensive exam!

- | | |
|---------------------------|------------------------------|
| • Maggie Allio | • Robert Lingenfelter |
| • Jennifer Barr | • Amy Liu |
| • Cassidy Boulan | • Jonas Maciunas |
| • Kevin Chavous | • Daniel Mallach |
| • John Del Vecchio | • Timothy Potens |
| • Margaret Dunn | • Molly Slevin Wood |
| • Thor Erickson | • Justin Smiley |
| • Amy Evans | • Michael Swidrak |
| • Emma Hamme | • Karen Thompson |
| • Victoria Harris | • Maria Tranguch |
| • Ian Hegarty | • Emi Yamamoto |
| • Keyleigh Kern | • Elijah Yearick |
| • Michael Lincheck | |

Governor's Awards for Local Government *Excellence*



Each year, these awards recognize local governments and individuals that have found creative ways to improve their communities.

The Governor's Awards for Local Government Excellence are a celebration of successful local government initiatives within a variety of award themes. The Governor's Center for Local Government Services presented the awards at the 19th Annual Local Government Day award ceremony on April 15th, 2015, in the Atrium of the Commonwealth Keystone Building.

Eight communities throughout Pennsylvania were recognized for innovative projects and initiatives relating to the eight award themes:

- Building Community Partnerships
- Responding to Adversity
- Promoting Community/Economic Revitalization
- Innovative Community/Governmental Initiatives
- Fiscal Accountability and Best Management Practices
- Innovative Planning and Sound Land Use Practices
- Intergovernmental Cooperation
- Information Technology

Additionally, eight local government leaders were selected by partner organizations of the Governor's Center for Local Government Services for their exemplary service and dedication to local government in Pennsylvania.

The PA Chapter of APA nominated **Kirk Stoner, AICP**, who was recognized at the event. Kirk Stoner has been the Director of Planning for Cumberland County since 2003. He has also been appointed to various other organizations for his leadership, planning, and management skills — including the Cumberland County Commissioners' Senior Management Team, where he works with the Chief Clerk and other department heads to find innovative ways to deliver county services. The Pennsylvania Chapter of the American Planning Association nominated Mr. Stoner to **be recognized for his success in completing several major projects, including the establishment of the Planning Commission University, the merger of the Cumberland County Shared Ride Transportation Department with York County's Rabbit Transit, and the development of Cumberland County's Bridge Capital Improvement Plan.**

The presentation was attended by Chapter Administrator Susan Shermer; Chapter Associate Kim Gusic; Legislative Chair Brian Traylor, AICP; Chapter Treasurer Pam Shellenberger, AICP; Southeast Section member Alexis Williams, AICP; and Central Section member and PODO Troy Truax, AICP; and Southwest Section member William McLain. ♦



PDO *corner*

by Susan Elks, AICP, Professional Development Officer

The **2015 Spring Forum: Solutions to the Alphabet Soup of Water Regulations** was held in Harrisburg on April 14th. This is the Chapter's second year of teaming with the Local Government Training Partnership on a full-day spring training event. **Mark Gutshall of LandStudies** opened the day, providing the more than 70 attendees with background on the science behind watershed management and the regulatory structure that governs stormwater, floodplains, and water quality. Attendees were then able to choose from nine breakout sessions to fill out the day, in addition to hearing first-hand from **Lee McDonnell, the Director of the Bureau of Point and Non-Point Source Management within the Pennsylvania Department of Environment Protection (PADEP)** over the lunch break.

The Spring Forum was filled with excellent information and provided opportunities for planners, engineers,

and municipal staff to interact with regulatory officials and professionals in the thick of MS4, TMDL, and Act 167 programs. Many thanks to the speakers who participated in the day's events, as well as those involved in planning the program. **Presentation materials can be found on the Chapter website at <http://planningpa.org/past-presentations/spring-forum-solutions-to-the-alphabet-soup-of-water-regulations-2/>**

In March, the Professional Development Committee (PDC) once again hosted a full-day exam prep session for those preparing to take APA's **AICP certification exam**. Attendees were provided with general background information on the exam and application process, and with content information across each of the exam's content areas. **The fall test cycle will be in November and the application window will be open in June.** As always, please check the

free exam prep resources available, particularly the PDC Study Notes from 2007 and the Exam Review Series that is part of the Planning Consortium webcast series. Information on these and other resources is available on the PA Chapter website: **<http://planningpa.org/for-planners/professional-planners/aicp-exam-prep/>**

At APA's national conference in April potential changes to the CM program were announced, primarily related to the provider side of the program, rather than the member side of the program. Changes should streamline processing of credits for providers, which will hopefully encourage more providers and events, and particularly distance education events. Changes will be effective in 2016. ♦

Our Thanks to Kyle and a Hello to Brian!

BRIAN TAYLOR, AICP, ASLA

We extend our thanks to Kyle Guie who has served as Legislative Chair for the past two years. Kyle helped the Chapter increase our visibility and continue to foster meaningful and productive relationships with legislators. **Brian Traylor, AICP, ASLA**, from WRT is taking over the reins, with the assistance of new vice-chair **Shirley Yannich, AICP**. Brian is an urban designer and planner with a background in landscape architecture and experience in site design, strategic redevelopment, community planning, citizen engagement, and energy conservation. With a Master of Urban Spatial Analytics, Brian brings unique expertise in GIS modeling and spatial statistics methods to his planning and design work.

As Chair, Brian will work on leveraging the capacity of the Legislative Committee and Chapter membership to serve as a resource to the legislature, and advocate for excellence in planning throughout Pennsylvania. In their most recent meeting, the Legislative Committee reviewed their goals for 2015, with a focus on establishing relationships with the new administration under Governor Wolf, and coordinating with allied organizations to track and review policies. ♦



Pipelines and Water Resources *Protection*

This fact sheet is intended as a brief reference guide on issues related to natural gas and petroleum pipelines, water resources protection, and municipal regulatory authority and current case concerning pipeline activities.

Prepared by John M. Gaadt, AICP

Pipeline Facts

TYPES OF PIPELINES

Hazardous Liquid pipelines, which carry crude oil and refined fuels such as gasoline, diesel and jet fuel (as well as highly volatile liquids such as butane, ethane, and propane, among others)

Natural Gas pipelines, which are categorized into several types (depending on where in the transportation process they exist):

- *Gathering pipelines* transport gas away from the point of production (well pad) to another facility for further refinement or to transmission pipelines. Currently in PA, there is little to no regulation of gathering lines.
- *Transmission pipelines* are the large lines (typically 6-48 inches in diameter) that move gas long distances around the country, often at high pressures (typically 200-1500 psi).
- *Distribution pipelines* are smaller lines (mains and service lines) that deliver natural gas to our individual homes and businesses at relatively low pressure.

PIPELINE JURISDICTION

Jurisdiction depends largely on the classification of pipelines, as follows:

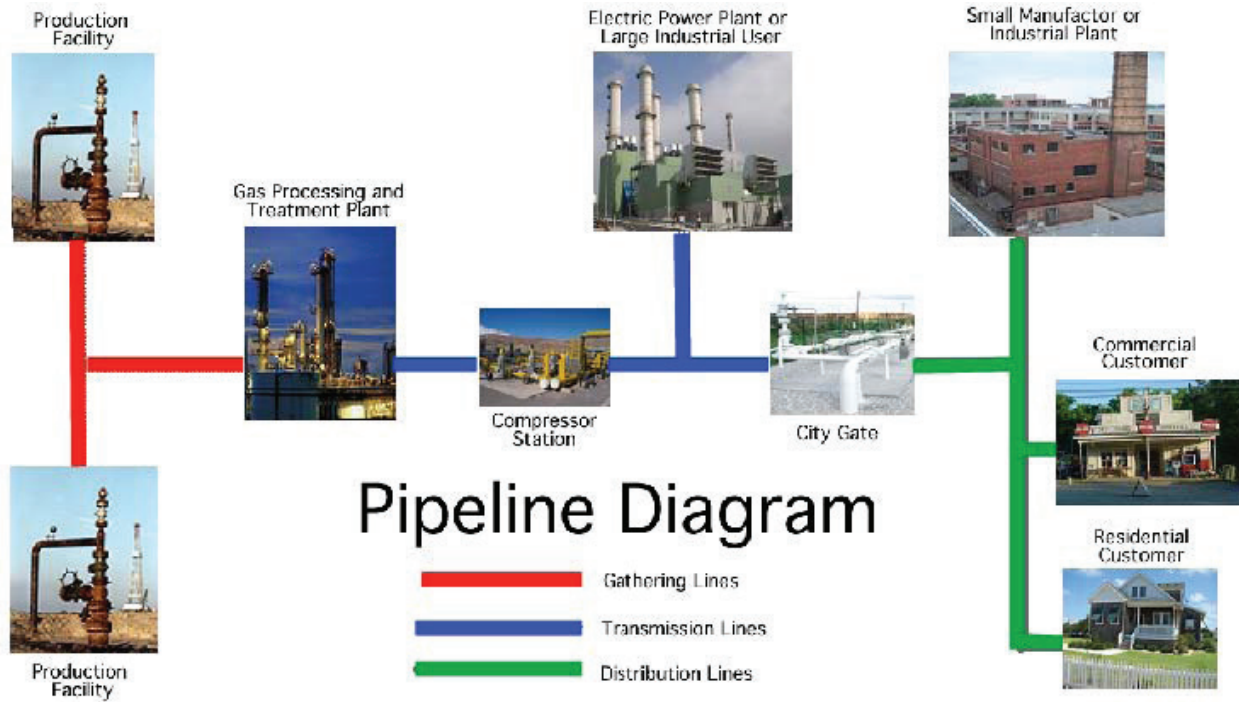
- *Interstate pipelines*, in which case the lines cross state boundaries, or
- *Intrastate pipelines*, in which case the lines operate entirely within one state. What complicates matters is that some transmission pipelines may be interstate in one state and intrastate in another state (depending on pipeline ownership).

The U.S. Department of Transportation through the Federal Energy Regulatory Agency (FERC) is the primary agency responsible for siting and permitting interstate pipelines. Another federal agency, the Pipeline and Hazardous Materials Safety Administration (PHMSA) is the primary agency responsible for issuing

and enforcing minimum pipeline safety regulations for the country. The federal pipeline safety laws do allow for states to accept the responsibility to regulate, inspect, and enforce safety rules over intrastate pipelines within their borders under an annual certification from PHMSA. Both the Pennsylvania Department of Environmental Protection (DEP) and the Pennsylvania Public Utilities Commission (PUC) play roles here, with DEP taking the lead on the technical components of drilling and transporting and the PUC taking the lead on siting and safety. Under Section 27 of the Pennsylvania Constitution and the Municipalities Planning Code (Act 247, as amended), municipal government also has a role to play in regulating and monitoring pipeline "land uses."

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PIPELINE CASE LAW

Current case law regarding pipelines can be found in recent PA Supreme Court and PA Commonwealth Court decisions. In December of 2013, a plurality of three Supreme Court Justices decreed that the state does not have absolute power over municipalities in terms of environmental protection and Act 13 (enacted in 2012 to consolidate oil and gas regulations and recognize hydraulic fracturing) puts municipalities in direct conflict with their constitutional authority to protect the environment under the “Environmental Rights Amendment”, Section 27 of the Pennsylvania Constitution. As part of its decision, the Pennsylvania Supreme Court also remanded certain arguments back to the Commonwealth Court for further consideration, e.g., the role of the PUC in reviewing local ordinances (a provision of the original act). In July of 2014, the Commonwealth Court ruled that challenges to local ordinances must come before municipal zoning boards (zoning hearing boards) per the requirements of the Municipalities Planning Code (MPC). However, the PUC retains the power to issue “Certificates of Public Convenience” that essentially exempt certain pipelines from local zoning laws.

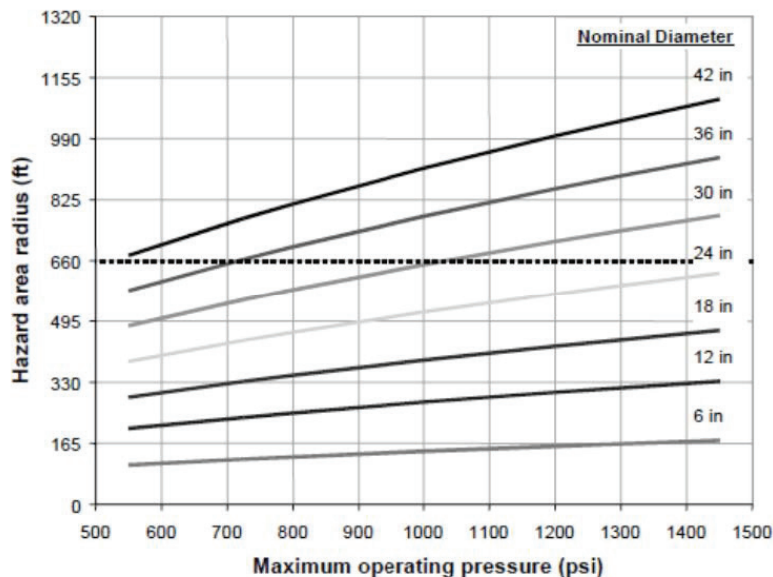
Since municipalities are obligated under Act 247 to plan for land use and are empowered to play a local role in protecting the environment under the Pennsylvania Constitution, many municipalities are considering planning for “surface land uses” not otherwise permitted in their zoning ordinances (such as compressor stations or pump stations), planning for new development in proximity to extraction and piping, and coordinating land uses under local long range comprehensive plans. The comprehensive plan is a particularly important document to update regarding pipelines as it provides municipalities the rational nexus between the comprehensive plan and municipal ordinances (pursuant to Section 105 of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended). The purpose of such language is to acknowledge existing and proposed pipelines, recognize the benefits and risks of pipelines, acknowledge the need to monitor existing and proposed activity, enact regulations complimentary to state and federal law, encourage increased communication with pipeline operators, reference related county and statewide planning goals, and coordinate with county and state agencies on new pipeline projects.

Pipelines and Water Resource Protection

ACT 247, THE PA CONSTITUTION, AND PLANNING TO PROTECT WATER RESOURCES

Both the PA Constitution and Act 247 place obligations on municipalities to protect their natural resources, in particular those land and water resources that are considered the common property of all the people. To quote Article 1, Section 27 (Natural Resources and the Public Estate) directly: “The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic, and esthetic values of the environment. Pennsylvania’s public natural resources are the common property of all the people, including generations yet to come. As trustee of these resources, the Commonwealth shall preserve and maintain them for the benefit of all the people.” Of interest is that the recent Supreme Court decision regarding Act 13

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referenced above (Robinson Township v. Commonwealth, 83 A.3d 901 (Pa. 2013), stated:

“In Pennsylvania, terrain and natural conditions frequently differ throughout a municipality, and from municipality to municipality. As a result, the impact on the quality, quantity, and well-being of our natural resources cannot reasonably be assessed on the basis of a statewide average. Protection of environmental values, in this respect, is a quintessential local issue that must be tailored to local conditions.”

As such, municipalities are empowered (and arguably, mandated) under state law to address the impacts of pipelines, in particular surface land uses affiliated with transmission pipelines and other surface pipeline appurtenances, safeguard new development from the potential impacts of existing or proposed pipelines, and adequately address pipelines in their comprehensive planning (such planning providing the rational nexus between the comprehensive plan and code of ordinances).

Under Act 247, municipalities have the authority and obligation to plan for pipelines and water resources protection, as follows:

Preamble and Sec. 105 – To empower “municipalities” to plan their development and govern the same by **zoning, subdivision and land development ordinances...** to **protect and promote safety, health and morals**; to accomplish coordinated development; to provide for the **general welfare**; to guide uses of **land and structures, type and location of streets, public grounds and other facilities**; to promote the preservation of this Commonwealth’s natural and historic resource; **to ensure municipalities adopt zoning ordinances...consistent with the municipality’s comprehensive plan.**

Section 604(1) – empowers municipalities to promote, protect and facilitate any or all of the following: the public health, safety, morals, and the general welfare; coordinated and practical community development and proper density of population; emergency management preparedness and operations, airports, and national defense facilities, the provisions of adequate light and air, access to incident solar energy, police protection,

vehicle parking and loading space, transportation, water, sewerage, schools, recreational facilities, public grounds, the provision of a safe, reliable and adequate water supply for domestic, commercial, agricultural or industrial use, and other public requirements; as well as preservation of the natural, scenic and historic values in the environment and preservation of forests, wetlands, aquifers and floodplains.

Section 604(2) - empowers municipalities to prevent one or more of the following: overcrowding of **land, blight, danger and congestion in travel and transportation, loss of health, life or property from fire, flood, panic or other dangers.** (emphasis added)

Section 605 – Identifies that **where zoning districts are created, all provisions shall be uniform for each class of uses or structures, within each district, except that additional classifications may be made within any district:**

- (1) *For the purpose of making transitional provisions at and near the boundaries of districts.*
- (2) *For the regulation, restriction or prohibition of uses and structures at, along or near:...(vii) flood plain areas, agricultural areas, sanitary landfills, and other places having a special character or use affecting and affected by their surroundings.* (emphasis added)

Given the authority granted to municipalities in both the Pennsylvania Constitution and the Municipalities Planning Code, it seems logical that municipalities consider their water resources when confronted with pipeline activity.

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COORDINATING RESOURCE PROTECTION AND INFRASTRUCTURE DEVELOPMENT

In general terms, municipalities should consider the wealth of natural, scenic, historic, and archeological resources they possess in reviewing any proposal for earth disturbance or land use development. To that end, many municipalities currently regulate development with an eye towards environmental protection and historic resource designation and protection. The use of comprehensive planning, including resource inventories and mapping, has provided many options for protection. Among one of the most critical protection strategies for water resources that supplements the water quality standards of the PA Department of Environmental Protection (Title 25, Chapters 92 and 102, the Safe Drinking Water Act, among others) is the local designation of Source Water Protection Areas (SWPA), e.g., those local water resources that are used as a significant source of local potable water (including surface supplies, wellhead areas, recharge areas, or other special/sensitive geologic formations such as the karst or cockeysville formations). Additional water resource areas of interest include first order streams, wetlands, and high quality/ exceptional values streams. Those municipalities

that identify, map, and regulate impacts to such areas have a legitimate concern for their ground and surface waters that should be taken into consideration when new pipeline activity is proposed.

In most instances, and depending on the resource to be protected, municipalities should communicate with pipeline companies about the existence of SWPAs and the desire to adequately protect such resources from pipeline disturbance and rupture. While disturbance activities should be coordinated with erosion and sedimentation laws and permits, impacts to water resources from pipeline ruptures or spills must be carefully considered, particularly in instances where SWPAs exist; contamination of such resources could potentially impact public drinking water supplies. Approximately 75% of Pennsylvania residents population of 12.7 million depend on public water supply for drinking water and a vast majority of public water supply systems are small (and grapple with the most compliance issues). Pennsylvania has over 2,100 community water systems and 80% of those systems rely on surface water sources (rivers, stream and lakes).

Given the above, communication between municipalities and pipeline companies is a key first step in protecting the important water

resources of a community. In some instances, rerouting of a pipeline may be feasible to avoid the most sensitive SWPAs. However, in cases where rerouting is not an option, and construction is underway, municipalities can work with pipeline companies to ensure that no refueling of machinery takes place in SWPAs (and that spill equipment is available onsite at all times). Where pipelines are proposed to cross a critical drinking water aquifer (such as those in karst geology), ensure there is a provision in the easements and FERC permit that makes it clear that the pipeline will never be allowed to repurpose from natural gas to any form of hazardous liquid pipeline (natural gas does not present immediate risks to surface or groundwater from leaks). Where natural gas pipelines are put in place, municipalities should consider setbacks to protect critical public infrastructure uses such as water treatment plants (or insist pipelines be set back from such uses) consistent with the Potential Impact Radius (PIR) of the pipeline. The PIR is a regulatory term used to determine the blast zone of a pipeline (the basis for which is contained in “A Model for Sizing High Consequence Areas Associated With Natural Gas Pipelines”, Gas Research Institute and C-FER Technologies, 2000). The PIR is based on the diameter of the pipeline and the

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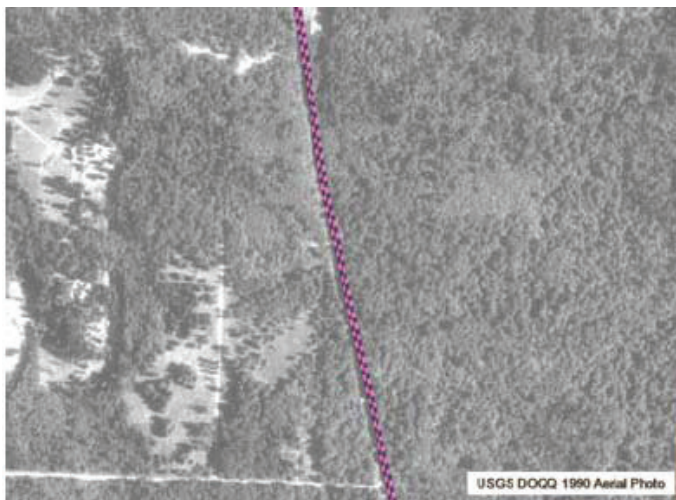


Figure 1 - 1990



Figure 2 - 2002

pressure of the gas being transported in the pipeline. The importance of setbacks cannot be underestimated. For example, small water supply systems in rural areas predominately use disinfection to treat potable water supplies; however, such facilities do not monitor for hydrocarbons, heavy metals, or other constituents found in natural gas or oil.

For those municipalities interested in being more proactive, the following approach could be utilized to protect SWPAs, as well as other important resources (such as historic resources). The key to protecting SWPAs is to clearly delineate their location and tailor protection strategies accordingly.

The approach described below involves a four prong strategy first developed as part of a U.S. DOT Technical Assistance Grant in 2010. The goal under that grant was to review existing ordinances and compare them to the “Best Practices” standards prepared by the Pipelines and Informed Planning Alliance (PIPA), a national alliance convened by the Pipelines and Hazardous Materials and Safety Administration (PHMSA).

The four prong municipal regulatory approach addresses the following:

- 1) Surface land uses affiliated with pipelines (providing for uses not otherwise permitted in most ordinances),
- 2) Street opening standards (providing for the regulation of street openings, installations and driveways),
- 3) Standards for new development in proximity to pipelines, and
- 4) Revisions to municipal comprehensive plans (providing the rational nexus between the comprehensive plan and code of ordinances).

Surface land uses affiliated with pipelines include, but are not limited to compressor stations, pumping stations, regulator stations, launcher/receiver

stations, and other surface pipeline appurtenances. The purpose of such standards is to accommodate these uses consistent with the desire to protect the health, safety and welfare of the citizens of the municipality; minimize aesthetic, nuisance and visual impacts through design, siting and screening; ensure the location of such uses complies with industry standards; and preserve community character adjacent to such uses.

Street opening standards are intended to provide for the opening, cutting, excavating, grading, boring, crossing, installation or disturbance upon, in, under, or across a Township road or road right of way. Such standards are intended for any street openings on Township roads (not necessarily pipeline projects) and provide municipalities with appropriate tools to regulate and manage such occurrences.

Standards for new development in proximity to pipelines address the need for development proposals to incorporate existing or proposed pipelines into their site planning activities. The purpose of such standards is to help prevent or minimize unnecessary risk to the public health, safety and welfare due to transmission pipelines; minimize the likelihood of accidental damage to transmission pipelines due to external forces, such as construction activity and equipment; avoid exposing land uses with high on-site populations that are difficult to evacuate; and help reduce adverse impacts in the event of a pipeline failure. Standards include additional requirements for plan submission, buffers, setbacks, signage and landscaping provisions.

Suggested municipal comprehensive plan language, as stated above, is intended to provide a rational nexus between the comprehensive plan and municipal ordinances (pursuant to Section 105 of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended). The purpose of such language is to acknowledge existing and proposed pipelines, recognize the benefits and risks of

pipelines, acknowledge the need to monitor existing and proposed activity, enact regulations complimentary to state and federal law, encourage increased communication with pipeline operators, reference related county and statewide planning goals, and coordinate with county and state agencies on new pipeline projects.

These four items combine to provide an effective approach towards proactively addressing pipelines within the legislative and regulatory climate currently in existence in Pennsylvania. Nevertheless, each municipality should review the standards offered in these guidelines (for example, width of setbacks or landscaping provisions), in relation to their existing ordinances, placement within their codes, and resources to be protected (in this case SWPAs). ♦

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December 15, 2014

Sources:

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 Pipeline and Hazardous Materials Safety Administration (PHMSA) Community Toolbox website: <http://primis.phmsa.dot.gov/comm/Index.htm?nocache=2349>
 PHMSA pipeline basics: <http://primis.phmsa.dot.gov/comm/PipelineBasics.htm?nocache=9334>
 Planning Near Pipelines: Model Ordinances and Recommendations for Chester County, Pennsylvania. John M. Gaadt, AICP, Chadds Ford, PA. September 2014.
 League of Women Voters & WREN

In *Memoriam*

It is with deep sadness that Stan Lembeck has informed us of the death of **Jeff Pierce** on April 27 in Butler, PA. Jeff was a longtime PMPEI Instructor and served on the PMPEI Board of Directors for ten years, stepping down at the end of 2014 because of health issues. He was one of our most active instructors and taught throughout western Pennsylvania.

Jeff lived in Slippery Rock and formed a planning consulting firm, DataPlan, with his wife Karen. For the past 15 years he was the director of community planning for Olsen and Associates in Butler. Jeff was an innovator and great promoter of planning and planning education. He will be greatly missed.

More information can be found at <http://planningpa.org/in-memoriam/in-memoriam-of-jeff-pierce/> ♦

Professional Development *Awards*

Larisa Klevan was the recipient of the **Jerry S. Walls Professional Development Award** announced during the Philadelphia conference. One scholarship in the amount of \$2,000.00 is awarded annually to a Pennsylvania applicant who demonstrates commitment in the field of community planning, involvement in public sector planning, and a desire to enhance their expertise and/or develop new skills. The Award recipient is announced in October via a submission process which ends in on August 28th. Funds are also available from the **Irving Hand Excellence in Planning Professional Development Award** given by **Delta Development**. One scholarship in the amount of \$2,500.00 will be awarded annually to an outstanding Pennsylvania applicant who demonstrates excellence in the field of community planning, and a desire to enhance his/her expertise and/or develop new skills.

Take Advantage of the Opportunity!

APPLY for a Professional Development Scholarship at <http://planningpa.org/for-planners/professional-planners/professional-development-scholarship/> ♦

Penn State Extension **LAND USE** *Webinar Series*

By Peter Wulfhorst, AICP

PENN STATE EXTENSION will be conducting their sixth Land Use Webinar series starting in July 2015 and continuing until November 2015. The webinars will occur on the 3rd Wednesday of each month from 12 noon – 1:15 pm. Recordings of the webinars will also be made available to registrants. The cost of the webinar series is \$30 for all 5 webinars and \$60 for all 5 webinars for those who want to get CM credits. In addition, we will be offering continuing credits for Registered Landscape Architects.

Registration information can be found at <http://agsci.psu.edu/land-use-webinar> starting on **June 20, 2015** including complete topic descriptions.

Topics include:

- **Community Revitalization** – July 15, 2015
- **Community Food Systems** – August 19, 2015
- **Economic Ecology of Healthy Watersheds** – September 16, 2015
- **Repurposing Land Uses** – October 21, 2015
- **Place making with Green Infrastructure** – November 18, 2015

For registration information, please contact Extension Educator Peter Wulfhorst at 570-296-3400 or e-mail at ptw3@psu.edu

