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Wellsboro approves ordinance regulating gas drilling

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WELLSBORO - Wellsboro Borough Council approved an amendment to the borough zoning ordinance Monday night that would require conditional use hearings before any oil or gas drilling exploration was done within the borough's rural residential district.

The district already allows for surface mining, borough Solicitor Chris Lantz told a crowd of about 20 people who gathered for a public hearing prior to a special meeting where council passed the ordinance.

However, he said that subsurface mining, as in natural gas and oil exploration, was not included previously.

Resident Kenneth Meyer said his understanding was that, without passing the amendment, the oil and gas companies could do whatever they wanted.

Lantz agreed.

Meyer also asked if the amendment superseded state law, to which Lantz responded it did not and that the borough could not regulate the types of fracking fluids used or types of drilling that was done. All of that, he said, is regulated by the state.

He said the amendment neither bans nor endorses natural gas drilling, but that it makes the companies have to go through a conditional use hearing in front of borough council before it could drill within the designated area.

While Lantz said the amendment wasn't a perfect solution, he said the borough tried to work within the parameters it was given by the laws.

"By no means is it a perfect solution," Lantz admitted. He said the borough tried to work within the parameters.

Questions from other residents at the hearing concerned right-of-way issues and limiting truck traffic.

Lantz said neither had been addressed, and that in the case of limiting truck traffic, he wasn't aware of any regulations that could be done.

As for right-of-way, though, Councilman Mike Wood said with most of the rural residential district being forested, he believed giving the gas companies the smallest right-of-way possible because of the trees, which should be considered.

Lantz said both of those issues could be considered in the future, but that before any new amendment could be adopted, it would have to go before the county planning commission, the borough's own planning commission and another public hearing.

Meyer also read a part of a letter from resident Steve Bickham at the hearing that questioned borough representatives who did work for the gas companies voting on the amendment.

Council President Joan S. Hart said that already had been addressed and during the vote, Council Vice President Terry Bryant abstained, because he does contract work with East Resources Inc. as a realtor with Penn Oak Realty.

After the hearing and special meeting, council held its regular meeting, during which council approved a land development plan for an addition of 12 units to the Canyon Motel, contingent upon receiving a letter of approval from the borough engineer Scott Bray and an on-site fire hydrant being included.

The borough planning commission and Wellsboro Fire Chief Lonnie Campbell, who was in attendance at Monday night's meeting, recommended a fire hydrant on the property because of limited access to the parking lot in case of an emergency.

Resident Dick Miskovitz, of Sherman Street, also asked council why it was paving a private road - Sherman Lane - with public resources.

"Not one dollar of tax money was used on Sherman Lane," said Mark Dieffenbach, borough superintendent of public works.

Dieffenbach also said it wasn't paved, but tar and chipped, and that Sherman Lane residents paid for the oil and chips out of their own pockets.

Pete Herres, one of those residents, said the costs were paid by he and three other residents.

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