

**MINUTES
SPECIAL MEETING
PLANNING & ZONING COMMISSION**

ITEM 1: CALL TO ORDER / ROLL CALL

The Special Meeting of the Newcastle Planning and Zoning Commission was held on June 7, 2018. The meeting was called to order at 6:15 p.m. by Chairman Gordon Harness.

Roll Call:

Chairman:	Gordon Harness	Present
Commissioner:	Dennis Sanders	Present
Commissioner:	Karl Evans	Present
Commissioner:	Jared Bennett	Present
Commissioner:	Will Wright	Present

Others: Todd Kennemer

ITEM 2: CONSIDER APPROVAL OF AGENDA

Dennis Sanders made the motion to approve the June 7, 2018 Agenda. Jared Bennett seconded the motion.

Board Polled:

Harness	Yes
Sanders	Yes
Evans	Yes
Bennett	Yes
Wright	Yes

Motion carried

ITEM 3: CONTINUANCE REQUESTS

None

ITEM 4: CITIZENS COMMENTS

None

**ITEM 5: DISCUSSION AND POSSIBLE ACTION ON FINAL PLAT
OF THE RIDGE, SECTION 2 – continued**

Steve Landes, Engineer for The Ridge, Section 2, presented the Final Plat.

Sullivan Engineering has approved the water and grading plans.

After discussion, Gordon Harness made the motion to recommend approval of the Final Plat of The Ridge, Section 2, subject to the additional plat notes requiring engineered approved plot plans submitted for approval prior to issuance of building permits and the note should include for foundation structure of either pier & beam or post tension. Notes are required for the lots East of Dragon Fire Court and such additional lots as may have significant fill as noted on the plat.

Karl Evans seconded the motion

Board Polled:

Harness	Yes
Sanders	Yes
Evans	Yes
Bennett	Yes
Wright	Yes

Motion carried.

ITEM 6: A PUBLIC HEARING TO CONSIDER AN APPLICATION FOR USE PERMITTED ON REVIEW FOR A CONDITIONAL USE PERMIT FOR JUANITA GRIFFITH IRREVOCABLE TRUST, PATSY ANN MCMAHAN, TRUSTEE/EOG RESOURCES, INC. FOR THE USE OF OIL & GAS DRILLING LOCATED IN THE SW/4 OF SECTION 36, TOWNSHIP 9 NORTH, RANGE 4 WEST, MCCLAIN COUNTY, OKLAHOMA. PROPERTY LOCATION: 3200 S. PORTLAND AVENUE, NE CORNER OF SE 32ND AND S. PORTLAND AVENUE, NEWCASTLE, OKLAHOMA. (UPOR 2018-001 MCMAHAN 02111H) - continued

Wayne Smith, Tres Management and on behalf of EOG Resources, presented the Application for the McMahan 02111H. Mr. Smith presented updated site plans to scale.

Mr. Smith commented that the Oklahoma Corporation Commission Permits to Drill are in process for all the well sites being presented tonight. Because of the increased drilling activity, the OCC currently has a backlog of permits to approve. Mr. Smith stated that he does not foresee any issues.

Gordon Harness commented that Planning Commission members visited wells at various wells in Blanchard to check on the noise level. Mr. Smith also presented a document taken at two separate facilities in Blanchard that determined the decibel levels.

Public Comment:

Landowner, Orvis McMahan, wants no chain link fence around the well site. He indicated that he has already worked these items out with EOG Resources.

Lisa Moses, citizen, feels precedents are being set with these conversations regarding well activity.

After further discussion, Gordon Harness made the motion to recommend approval of the UPOR Application for the McMahan 02111H subject to the following:

1. The truck route will be from Highway 62 to SE 32nd Street. No well related traffic on Portland.
2. Minimum 70 ft. wing-in with 80 ft. depth for SE 32nd Street entrance. Approach and road will have 6-inch gravel base.
3. During rig move in and move out and high traffic volume, live flaggers will be used at Highway 62. Warning signage approved by ODOT to be provided on Highway 62 as needed.
4. Pad site has containment around tanks per EPA requirements.
5. Pad site will use standard construction with mudding problems resolved in 48 hours to prevent mud from tracking on public roadways.
6. Signage will include emergency information and contacts and will coordinate with Police and Fire with updated list at 6- month intervals.
7. Fire Department will coordinate and train for on-site familiarization of location.
8. Hours of Operation: approximately 40 days, 24-hour drilling will be allowed; approximately 60 days, 24-hour operating period will be allowed; after which time will adhere to City of Newcastle Ordinance guidelines.
9. Tanks allowed: 6. Additional tanks may be added with coordination of City Staff.

10. Fencing: Required sound barrier fencing on the East side of 16 ft. Remaining sides to be determined by landowner and EOG Resources. Orvis McMahan, landowner, objects to the 16 ft. sound barrier fence.
11. Road damage and repair provisions need to be coordinated with City Staff to their satisfaction and approved by the City Council.
12. Oklahoma Corporation Commission Approved Permit to Drill Applications should be received to make the Application complete and actionable by the Planning Commission and City Council.
13. Use of gas motors will be approved subject to review by the Planning Commission with a recommendation made to the City Council which may be addressed separately by the City Council for approval.
14. Decibel levels to be set as allowed by the Oklahoma Corporation Commission.

Karl Evans seconded the motion.

Board Polled:

Harness	Yes
Sanders	Yes
Evans	Yes
Bennett	Yes
Wright	Yes

Motion carried

ITEM 7: A PUBLIC HEARING TO CONSIDER AN APPLICATION FOR USE PERMITTED ON REVIEW FOR A CONDITIONAL USE PERMIT FOR JUANITA GRIFFITH IRREVOCABLE TRUST, PATSY ANN MCMAHAN, TRUSTEE/EOG RESOURCES, INC. FOR THE USE OF OIL & GAS DRILLING LOCATED IN THE SW/4 OF SECTION 36, TOWNSHIP 9 NORTH, RANGE 4 WEST, MCCLAIN COUNTY, OKLAHOMA. PROPERTY LOCATION: 3200 S. PORTLAND AVENUE, NE CORNER OF SE 32ND AND S. PORTLAND AVENUE, NEWCASTLE, OKLAHOMA. (UPOR 2018-002 MCMAHAN 01121H) - continued

Wayne Smith, Tres Management and on behalf of EOG Resources, presented the Application for the McMahan 01121H. Mr. Smith presented updated site plans to scale. The well site is located on the same pad site as Item 6.

Public Comment:

Same Public Comment as Item 6.

After discussion, Gordon Harness made the motion to recommend approval of the UPOR Application for the McMahan 01121H (using the same items as addressed in Item 6 McMahan02111H) subject to the following:

1. The truck route will be from Highway 62 to SE 32nd Street. No well related traffic on Portland.
2. Minimum 70 ft. wing-in with 80 ft. depth for SE 32nd Street entrance. Approach and road will have 6-inch gravel base.
3. During rig move in and move out and high traffic volume, live flaggers will be used at Highway 62. Warning signage approved by ODOT to be provided on Highway 62 as needed.
4. Pad site has containment around tanks per EPA requirements.
5. Pad site will use standard construction with mudding problems resolved in 48 hours to prevent mud from tracking on public roadways.
6. Signage will include emergency information and contacts and will coordinate with Police and Fire with updated list at 6- month intervals.
7. Fire Department will coordinate and train for on-site familiarization of location.
8. Hours of Operation: approximately 40 days, 24-hour drilling will be allowed; approximately 60 days, 24-hour operating period will be allowed; after which time will adhere to City of Newcastle Ordinance guidelines.
9. Tanks allowed: 6. Additional tanks may be added with coordination of City Staff.
10. Fencing: Required sound barrier fencing on the East side of 16 ft. Remaining sides to be determined by landowner and EOG Resources. Orvis McMahan, landowner, objects to the 16 ft. sound barrier fence.
11. Road damage and repair provisions need to be coordinated with City Staff to their satisfaction and approved by the City Council.
12. Oklahoma Corporation Commission Approved Permit to Drill Applications should be received to make the Application complete and actionable by the Planning Commission and City Council.

13. Use of gas motors will be approved subject to review by the Planning Commission with a recommendation made to the City Council which may be addressed separately by the City Council for approval.

14. Decibel levels to be set as allowed by the Oklahoma Corporation Commission.

Jared Bennett seconded the motion.

Board Polled:

Harness	Yes
Sanders	Yes
Evans	Yes
Bennett	Yes
Wright	Yes

Motion carried

ITEM 8: A PUBLIC HEARING TO CONSIDER AN APPLICATION FOR USE PERMITTED ON REVIEW FOR A CONDITIONAL USE PERMIT FOR WILLIAM R. OWEN /EOG RESOURCES, INC. FOR THE USE OF OIL & GAS DRILLING LOCATED IN A 3.9 ACRE TRACT LOCATED IN SECTION 17, TOWNSHIP 9 NORTH, RANGE 4 WEST, MCCLAIN COUNTY, OKLAHOMA. PROPERTY LOCATION: NW HWY. 130/EAST OF HWY. 76 ON HWY. 130, NEWCASTLE, OKLAHOMA. (UPOR 2018-003 BANSHEE 20291H) – continued

Wayne Smith, Tres Management and on behalf of EOG Resources, presented the Application for the Banshee 20291H. Mr. Smith presented updated site plans to scale.

Mr. Smith indicated that ODOT has dictated the egress on Highway 130 as shown on the submitted plat.

Mr. Owens, landowner has requested that the site be moved 150 ft. to the North.

Public Comment:

At this time, Autumn ?, Oklahoma Electric Cooperative Representative, commented that OEC has the capability to serve these well sites with 3-phase electric with no power drain to surrounding areas. Mr. Smith stated that the cost of electric power compared to gas is excessive.

After discussion, Gordon Harness made the motion to recommend approval of the UPOR Application for the Banshee 20291H (using the same items as addressed in Item 6 McMahan 02111H plus additional accordingly) subject to the following:

1. The truck route will use Highway 130 to designated entrance. Entrance designated by ODOT.
2. Site location to be moved North of the previously proposed site which will meet the City of Newcastle's Ordinance guidelines of 300 feet from the property line as well as 80 ft. West off the East property line. The variance of this 80 ft. amount seems appropriate at this location.
3. Minimum 70 ft. wing-in with 80 ft. depth for SE 32nd Street entrance. Approach and road will have 6-inch gravel base.
4. During rig move in and move out and high traffic volume, live flaggers will be used at Highway 130. Warning signage approved by ODOT to be provided on Highway 130 as needed.
5. Pad site has containment around tanks per EPA requirements.
6. Pad site will use standard construction with mudding problems resolved in 48 hours to prevent mud from tracking on public roadways.
7. Signage will include emergency information and contacts and will coordinate with Police and Fire with updated list at 6- month intervals.
8. Fire Department will coordinate and train for on-site familiarization of location.
9. Hours of Operation: approximately 40 days, 24-hour drilling will be allowed; approximately 60 days, 24-hour operating period will be allowed; after which time will adhere to City of Newcastle Ordinance guidelines.
10. Tanks allowed: 6. Additional tanks may be added with coordination of City Staff.
11. Fencing: Required sight proof, sound barrier fencing on the East and South side of 24 ft; West sight proof, sound barrier fencing of 16 ft.; North 16 ft. fencing or open fencing of chain-link security fencing.
12. Road damage and repair provisions need to be coordinated with City Staff to their satisfaction and approved by the City Council.

13. Oklahoma Corporation Commission Approved Permit to Drill Applications should be received to make the Application complete and actionable by the Planning Commission and City Council.
14. Use of gas motors will be approved subject to review by the Planning Commission with a recommendation made to the City Council which may be addressed separately by the City Council for approval.
15. Decibel levels to be set as allowed by the Oklahoma Corporation Commission.

Dennis Sanders seconded the motion.

Board Polled:

Harness	Yes
Sanders	Yes
Evans	Yes
Bennett	Yes
Wright	Yes

Motion carried

ITEM 9: A PUBLIC HEARING TO CONSIDER AN APPLICATION FOR USE PERMITTED ON REVIEW FOR A CONDITIONAL USE PERMIT FOR MCMURTRY MANAGEMENT & INVESTMENTS, LLC /EOG RESOURCES, INC. FOR THE USE OF OIL & GAS DRILLING LOCATED IN A 3.9 ACRE TRACT LOCATED IN SECTION 7, TOWNSHIP 9 NORTH, RANGE 4 W, MCCLAIN COUNTY, OKLAHOMA. PROPERTY LOCATION: 3610 NW 24TH/WEST OF HWY. 76 AND NW 24TH STREET INTERSECTION, NEWCASTLE, OKLAHOMA. (UPOR 2018-004 NIGHT HAWK 07181H) - continued

Wayne Smith, Tres Management and on behalf of EOG Resources, presented the Application for the Night Hawk 07181H. Mr. Smith presented updated site plans to scale.

This well site is North of an existing well under a different operator. Access will use the same existing road off 24th Street in use by the current well to the East of the property. A second well site (Warhawk) Application on the same pad location will be heard on the June 25, 2018 Planning Commission meeting.

Mr. Smith is agreeable to the 16 ft. fencing to the East of the site.

Planning Commission would like more distance on road for the trucks to pull off

on 24th Street. Mr. Smith discussed that distances on the current access are sufficient for the trucks to pull off the road. (road 72 ft. across, 79 ft. West, 86 ft. East) The entrance is currently chip/seal. Mr. Smith has agreed to move the cattle guard back.

Public Comment:

Gerald Smith, property owner to East, would like the access road moved to the West.

Jim Gurley, owns a 46 acre tract adjacent to the property, would like the road moved to the West.

Gordon Harness suggested moving the access road to the West as soon as the damn is cleared so the road borders the drill site on the East. Mr. Smith said he would have to discuss the change with the land owner.

After discussion, Gordon Harness made the motion to recommend approval of the UPOR Application for the Night Hawk 07181H (using the same items as addressed in Item 6 McMahan 02111H plus additional accordingly) subject to the following:

1. The truck route will use Highway 76 to 24th Street. Entrance will be off 24th Street.
2. Minimum 70 ft. wing-in with 80 ft. depth for 24th Street entrance. Approach and road will have 6-inch gravel base.
3. During rig move in and move out and high traffic volume, live flaggers will be used at Highway 76 and 24th Street to the West. Warning signage approved by ODOT to be provided on Highway 76 as needed North and South of 24th Street with flashers.
4. Pad site has containment around tanks per EPA requirements.
5. Pad site will use standard construction with mudding problems resolved in 48 hours to prevent mud from tracking on public roadways.
6. Signage will include emergency information and contacts and will coordinate with Police and Fire with updated list at 6- month intervals.
7. Fire Department will coordinate and train for on-site familiarization of location.
8. Hours of Operation: approximately 40 days, 24-hour drilling will be allowed; approximately 60 days, 24-hour operating period will be allowed; after which time will adhere to City of Newcastle Ordinance guidelines.

9. Tanks allowed: 6. Additional tanks may be added with coordination of City Staff.
10. Fencing: 16 ft. sight proof, sound barrier fencing around the site. The roadway be moved to the West away from the East fence line commencing as soon as possible after passing the damn and running with the West side of the roadway bordering the East side of drill site pad; and in conjunction the City will proceed to contact existing operator to move his use of road the same distance from East property line. Consideration should be given to placing sound barrier wall along the East property line 300 feet from each side of the center of Gerald Smith's residence on a temporary basis during high traffic volume and drilling operations.
11. Road damage and repair provisions need to be coordinated with City Staff to their satisfaction and approved by the City Council.
12. Oklahoma Corporation Commission Approved Permit to Drill Applications should be received to make the Application complete and actionable by the Planning Commission and City Council.
13. Use of gas motors will be approved subject to review by the Planning Commission with a recommendation made to the City Council which may be addressed separately by the City Council for approval.
14. Decibel levels to be set as allowed by the Oklahoma Corporation Commission.

Karl Evans seconded the motion.

Board Polled:

Harness	Yes
Sanders	Yes
Evans	Yes
Bennett	Yes
Wright	Yes

Motion carried

ITEM 10: A PUBLIC HEARING TO CONSIDER AN APPLICATION FOR USE PERMITTED ON REVIEW FOR A CONDITIONAL USE PERMIT FOR STANFORD FAMILY TRUST/EOG RESOURCES, INC. FOR THE USE OF OIL & GAS DRILLING LOCATED IN A 3.9 ACRE TRACT LOCATED IN SECTION 17, TOWNSHIP 9 NORTH, RANGE 4 WEST, MCCLAIN COUNTY, OKLAHOMA. PROPERTY LOCATION: NW HWY. 130/NW CORNER OF

**INTERSECTION OF ROCKWELL AVENUE AND HWY. 130,
NEWCASTLE, OKLAHOMA. (UPOR 2018-005 SPITFIRE
08171H)**

Wayne Smith, Tres Management and on behalf of EOG Resources, presented the Application for the Spitfire 08171H. Mr. Smith presented updated site plans to scale.

Mr. Smith commented that per ODOT, the well site entrance has moved West of Rockwell to the crest of the hill on Highway 130.

Mr. Smith explained that because of the pond on the North side, a gas line parallel with Highway 130 on the South side, and the family not wanting the location moved, the site location is not with the 300 ft. property line boundary.

Gordon also questioned if the tanks could be moved to the West side of the pad site. Mr. Smith said the tanks could be moved to the West. Gordon would also like to see 24 ft. walls around the site. Mr. Smith did say that the well bore could be moved 25 ft.

Public Comments:

Mark Moses, owner to the East, feels ordinances are set to help protect property owners, and therefore, would like the site to be 300 ft. from the property line, 24 ft. sound barrier panels around 3 sides and the use of electric motors.

Joe Covey, citizen, feels the site should be flipped 90 degrees to the left.

After discussion, Gordon Harness made the motion to recommend approval of the UPOR Application for the Spitfire 08171H (using the same items as addressed in Item 6 McMahan 02111H plus additional accordingly) subject to the following:

1. The truck route will use Highway 76 to Highway 130 to ODOT designated entrance West of Rockwell to the crest of the hill on Highway 130.
2. Site to be moved to the West approximately 80 ft to the West to attempt to meet the 300 ft. Ordinance requirement. Could be done by flipping site. Every effort should be made to reach and meet the City's minimal requirements. If unable to meet, Applicant should re-appear.
3. Minimum 70 ft. wing-in with 80 ft. depth for Highway 130 entrance. Approach and road will have 6-inch gravel base.
4. During rig move in and move out and high traffic volume, live flaggers will be used at Highway 130.

5. Pad site has containment around tanks per EPA requirements.
6. Pad site will use standard construction with mudding problems resolved in 48 hours to prevent mud from tracking on public roadways.
7. Signage will include emergency information and contacts and will coordinate with Police and Fire with updated list at 6- month intervals.
8. Fire Department will coordinate and train for on-site familiarization of location.
9. Hours of Operation: approximately 40 days, 24-hour drilling will be allowed; approximately 60 days, 24-hour operating period will be allowed; after which time will adhere to City of Newcastle Ordinance guidelines.
10. Tanks allowed: 6. Additional tanks may be added with coordination of City Staff.
11. Fencing: 24 ft. sound barrier, site proof fencing.
12. Equipment should be moved to West pad line with preference of compressors being located to North end of pad.
13. Road damage and repair provisions need to be coordinated with City Staff to their satisfaction and approved by the City Council.
14. Oklahoma Corporation Commission Approved Permit to Drill Applications should be received to make the Application complete and actionable by the Planning Commission and City Council.
15. Use of gas motors will be approved subject to review by the Planning Commission with a recommendation made to the City Council which may be addressed separately by the City Council for approval.
16. Decibel levels to be set as allowed by the Oklahoma Corporation Commission.

Dennis Sanders seconded the motion.

Board Polled:

Harness	Yes
Sanders	Yes
Evans	No
Bennett	No
Wright	No

Motion failed.

At applicant's request, Gordon Harness made the motion continue this item to the June 25, 2018, Planning Commission meeting. Jared Bennett seconded the motion.

Board Polled:

Harness	Yes
Sanders	Yes
Evans	Yes
Bennett	Yes
Wright	Yes

Motion carried

ITEM 11: A PUBLIC HEARING TO CONSIDER AN APPLICATION FOR USE PERMITTED ON REVIEW FOR A CONDITIONAL USE PERMIT FOR CASTLE FAMILY TRUST, BOBBY C & WANDA L. CASTLE, TRUSTEES/EOG RESOURCES, INC. FOR THE USE OF OIL & GAS DRILLING LOCATED IN A 3.9 ACRE TRACT OF SECTION 9, TOWNSHIP 9 NORTH, RANGE 4 WEST, MCCLAIN COUNTY, OKLAHOMA. PROPERTY LOCATION: NE CORNER OF NW 16TH STREET AND N. ROCKWELL AVENUE, NEWCASTLE, OKLAHOMA. (UPOR 2018-006 TOMCAT 16211H) - continued

Wayne Smith, Tres Management and on behalf of EOG Resources, presented the Application for the Tomcat 16211H. Mr. Smith presented updated site plans to Scale.

The site meets the setback requirements and the equipment is located as far away from the residential area as possible.

There are concerns with the bridge on 16th Street over the turnpike. Will need live flaggers and signage North and South. Will also need 24 ft. fencing to the South and East because of housing.

Public Comment.

Neighbor?? has concerns with the drilling operation and her water well. It is also a school bus stop.

Neighbor?? feels 70 decibels at 30 ft. is loud and would like the 24 ft. sound barrier wall.

After discussion, Gordon Harness made the motion to recommend approval of the UPOR Application for the Tomcat 16211H (using the same items as addressed in Item 6 McMahan 02111H plus additional accordingly) subject to the following:

1. The truck route will use Highway 76 to 16th Street. The site entrance will be 50 – 75 feet from the West boundary of pad site.
2. Minimum 70 ft. wing-in with 80 ft. depth for 16th Street entrance. Approach and road will have 6-inch gravel base.
3. During rig move in and move out and high traffic volume, live flaggers will be used at Highway 76 and the turnpike bridge. Flashing signage will also be used on Highway 76.
4. Pad site has containment around tanks per EPA requirements.
5. Pad site will use standard construction with mudding problems resolved in 48 hours to prevent mud from tracking on public roadways.
6. Signage will include emergency information and contacts and will coordinate with Police and Fire with updated list at 6- month intervals.
7. Fire Department will coordinate and train for on-site familiarization of location.
8. Hours of Operation: approximately 40 days, 24-hour drilling will be allowed; approximately 60 days, 24-hour operating period will be allowed; after which time will adhere to City of Newcastle Ordinance guidelines.
9. Tanks allowed: 6. Additional tanks may be added with coordination of City Staff.
10. Fencing: 24 ft. sound barrier, site proof fencing on East and South boundaries of the pad site. West and North boundaries to use chain link fencing or applicant's choice.
11. Road damage and repair provisions need to be coordinated with City Staff to their satisfaction and approved by the City Council.
12. Oklahoma Corporation Commission Approved Permit to Drill Applications should be received to make the Application complete and actionable by the Planning Commission and City Council.

13. Use of gas motors will be approved subject to review by the Planning Commission with a recommendation made to the City Council which may be addressed separately by the City Council for approval.

14. Decibel levels to be set as allowed by the Oklahoma Corporation Commission.

Dennis Sanders seconded the motion.

Board Polled:

Harness	Yes
Sanders	Yes
Evans	Yes
Bennett	No
Wright	Yes

Motion carried

ITEM 12: NEW BUSINESS

None

ITEM 13: OLD BUSINESS

None

ITEM 14: ADJOURNMENT

Karl Evans made the motion to adjourn the meeting at 10:05 p.m. Jared Bennett seconded the motion.

Board Polled:

Harness	Yes
Sanders	Yes
Evans	Yes
Bennett	Yes
Wright	Yes

Motion carried.