



**TOWNSHIP of HOPEWELL
MERCER COUNTY**

**201 WASHINGTON CROSSING – PENNINGTON ROAD
TITUSVILLE, NEW JERSEY 08560-1410**

PROJECT / APPLICATION

BLOCK:

LOT:

ADDRESS:

PROJECT NAME:

PLANS

**SUPPLEMENTAL
ENGINEERING
MEMO JANUARY
2026**

M E M O R A N D U M
(via email)

TO: Hopewell Township Planning Board
FROM: Mark Kataryniak, PE, PTOE, Township Redevelopment Engineer
DATE: August 14, 2025, **Revised January 7, 2026**
SUBJECT: **Supplemental Engineering Review**
Venue at Hopewell
Preliminary & Final Major Subdivision and Site Plan
61 & 137 Nursery Road, Scotch Road, Nursery Road
Block 93, Lot 19, 20, 45.01, 46 & p/o 60

The following has been prepared in response to concerns raised during the ongoing planning board hearings regarding the Sunoco pipeline that runs within a dedicated easement through the subject property. The pipeline that runs through the subject property is a segment along the Twin Oaks Pipeline, which is approximately 105.5 miles in length, running from Twin Oaks Terminal in Aston, Pennsylvania to the Newark Terminal in Newark, New Jersey.

This report has been revised to include acknowledgement of correspondence between the Hopewell Township Committee representatives and the representatives of the US Department of Transportation, Pipeline and Hazardous Materials Safety Administration (PHMSA).

A sleeve on the pipeline, identified in documents related to the matter as a Type A Sleeve, located within Upper Makefield, Pennsylvania experienced a leak discovered on January 31, 2025, that resulted in action taken by the US Department of Transportation, Pipeline and Hazardous Materials Safety Administration (PHMSA), the federal agency maintaining jurisdiction over the subject pipeline.

Correspondence from Applicant's Attorney

In response to the concerns raised, I have reviewed a July 31, 2025, letter authored by Jason R. Tuvel, Esq., on behalf of applicant Lennar, responding to comments on the pipeline issue, and exhibits appended to the letter more specifically described as (copies also attached):

1. The pipeline easement, recorded in the Mercer County Clerk's office in Deed Book 1217, Page 70, recorded December 4, 1952. The purpose of the easement was to fix and establish the location of the 50-foot-wide right-of-way easement for the pipeline.
2. A May 2, 2025, Consent Order entered by the USDOT PHMSA In the Matter of Sunoco Pipeline LP, approving the April 30, 2025, Consent Agreement between PHMSA and Sunoco Pipeline LP ("Sunoco").
3. Document entitled, "General Guidelines for Third-Party Construction or Maintenance Activities", produced by Energy Transfer Company, dated 12/8/2023, and provided by the gas pipeline company for work in the vicinity of pipelines.

The pipeline easement document established the 50-foot-wide easement, as depicted on the applicant's plans, and details the purpose of the easement as "a right-of-way easement, with the right to locate, construct and lay a pipe line and maintain, operate, repair and remove said line over, upon, under and across certain lands situate in the Township of Hopewell (Book 1217 Page

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70, 2nd paragraph)". The easement documents further stipulate, in multiple locations, that the remaining lands of the subject property are released from the right-of-way easement, and that the pipeline easement shall not "exclude said Grantor (Property owner granting the easement) from enjoying and occupying said lands (easement area) as Grantor has heretofore in any way that does not interfere with said Grantee's use of the right-of-way easement".

The Consent Order sets forth specific requirements, with established timelines for compliance (measured from the date of the Consent Order), to address the integrity risk on the entire length of the Twin Oaks Pipeline by completing specific Corrective Measures, summarized as:

- a. Operate under reduced pressure, stated as a 20% reduction in the highest operating pressure.
- b. Develop a Type A Sleeve Integrity Plan, evaluating the integrity of each Type A Sleeve on the pipeline; (90-days).
- c. Develop a Remedial Work Plan (RWP); (90-days).
- d. Prepare a Failure History Evaluation, undertaken by a third-party facilitator; (120-days).
- e. Conduct an evaluation of the pipeline's leak detection system, undertaken by a third-party facilitator; (120-days).
- f. Conduct a Ground Leakage Survey; (30-days).
- g. Conduct Mechanical and Metallurgical Testing w; (45-days).
- h. Prepare a Root Cause Failure Analysis; (120-days).
- i. Conduct an Emergency Response Plan and Training Review; (90 days).
- j. Review and assess the effectiveness of Sunoco's Public Awareness Program.

The Consent Order outlines a comprehensive protocol for the testing and evaluation of the integrity of the pipeline, and establishes clear requirements for the pipeline company, or a third-Party facilitator as noted, to address the integrity of the line and report to the PHMSA its findings. The Consent Order clearly states that the federal agency that maintains jurisdiction over the pipeline will remain as the jurisdiction evaluating the integrity of the pipeline.

The guidelines for third-party construction or maintenance activities establish specific restrictions and requirements for construction activities within the pipeline easement. The subject inclusionary development project, Venue at Hopewell, currently under review by the Planning Board, contains four locations along the pipeline easement where the applicant proposes construction over or under (for utilities) the pipeline easement. No other development is proposed that encroaches the pipeline easement throughout the balance of the project. The configuration of the road crossings and the proposed grading within the easement area is compliant with the guidelines issued. The applicant is further required to notify the pipeline company prior to conducting any construction activity within the easement and follow all safety requirements established by the pipeline company. I recommend that the Board condition any approval of this application on the requirement to conform to the requirements of the construction guidelines and notify the township prior to conducting any work within the easement area to allow for municipal inspection.

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The proposed development plans depict development in compliance with the terms of the pipeline easement and the construction guidelines for work within the easement.

The assessment of the integrity of the pipeline should be beyond the concerns and jurisdiction of the Planning Board, as it is under direct and ongoing oversight and jurisdiction of the US Department of Transportation. Further, the pipeline company is under a Consent Order to address the requirements of the Consent Order in a timely manner, which provides assurance that the matter is being promptly addressed. With the assistance of the Township Attorney, my office will follow and monitor the progress of the Consent Order as information becomes public and available.

In my opinion, the applicant's plans and protective measures for construction work within the pipeline easements are within established standards of practice and are satisfactory for the scope of the application. However, as noted above, I recommend that the Board condition any approval of this application on the requirement to conform to the requirements of the above referenced construction guidelines and notify the township prior to conducting any work within the easement area to allow for municipal inspection.

Correspondence between Hopewell Township Committee and PHMSA

On December 11, 2025, I was notified of email correspondence between the Hopewell Township Mayor and the Director of Governmental, International and Public Affairs at PHMSA. The Director acknowledged inquiries from Hopewell Township on the status of the pipeline inspections and repairs in New Jersey and Hopewell Township. The PHMSA Director confirmed that the Remedial Work Plan (RWP) was approved in 2025, as required by the consent order, and confirmed ongoing inspections and repairs with the pipeline. The Director also confirmed in the email that the approved RWP required the removal of 8 Type A sleeves in New Jersey. Sunoco finished removing those sleeves and replacing them with new pipe in November.

The in-line inspection completed under the RWP identified two additional areas requiring excavation to determine the need for additional repairs. The Director indicated that these two additional locations, which do not involve property in Hopewell Township, are scheduled to be completed in January.

The continued communication between Hopewell Township and PHMSA indicates the continued commitment from the Township Committee to remain in active communication with the PHMSA for the continued prioritization of ensuring Sunoco's compliance with the requirements of the Consent Order.