

PLAINFIELD TOWNSHIP
SPECIAL PLANNING COMMISSION MEETING
MARCH 17, 2025

The special meeting of the Plainfield Township Planning Commission was held on Monday, March 17, 2025, at the Plainfield Township Fire Hall, located at 6480 Sullivan Trail, Nazareth, PA 18064.

Chairman, Paul Levits, called the meeting to order at 7:00 P.M.

The Pledge of Allegiance was performed.

ROLL CALL:

The following Commissioners answered roll call: Paul Levits, Allen Shafer, Terry Kleintop and Robin Dingle, and Glenn Geissinger.

Also present were Administrative Assistant, Amy Kahler, Doreen Curtin, Zoning Officer, Solicitor, David Backenstoe, Solicitor and Dave Crowther, Keystone Consulting Engineers.

CURRENT/NEW BUSINESS:

1. Grand Central Sanitary Landfill, Inc. and Slate Spring Farms, LLC.- Waste Management- Zoning Amendment Application- *Rezoning Request*

Chairman, Paul Levits, reviewed information and the timeframe of when the Planning Commission received the request. If any of the Planning Commissioners have questions/comments and then will have any residents that would like to speak, speak.

Mr. Levits, indicated that this should be move of a packet of what will happen if this moves forward and not so much of a business deal. This is generational, this will affect our youth. Currently we are receiving \$3.15 per ton, adjusted for inflation it would be around \$8.71 a ton. Mr. Levits reviewed information from past agreements, which also included Wind Gap and Pen Argyl, reviewed information about our Comprehensive Plan. Mr Levits indicated that residents know and love Plainfield Township for preserving and maintaining the farm land, also indicated how the building growth is moving and will be right next to Pen Argyl with the new/proposed Landfill. Money and employment are the next items to review/ issues.

There also has been about 90 signatues received against the expansion, 3 good letters in support of the expansion. Many residents are not concerned about the loss of money that Waste Management distributes, they are more concerned about the expansion itself. Property values are down 7%, we need to maintain our environment.

Vice Chairman, Glenn Geissinger spoke and advised that Waste Management has been honest and has honored agreements for so many years, and have contributed to many companies, surrounding groups. Mr. Geissinger also indicated that we have also heard many residents against the expansion. There are concerns all around and a major concern is the traffic issue. There are also a great concern of the chemicals that we are not aware of that are in the soils/water/ air. There

is also the noise and light that affects the environment along with the borough residents. Mr. Geissinger thanked Waste Management for what they have done and that they have done a good job maintaining what they can.

Commissioner, Terry Kleintop asked with the landfill now only accepting 3.5 tons, will majority of it still come from out of state? Is the PFAS being tested? Have you contacted the DEP to see if they would approve a second landfill? The employment breakdown provided, is this with the cut down to 3.5 tons or is this employment information based on the regular tons that were being accepted? The decision that is determined by the Planning Commission will show what we expect, I still wish the residents of Plainfield would be able to vote, even though that is not possible. Mr. Kleintop indicated that in reviewing the letters/documents that, please voice your opinions, attend the Board of Supervisors meetings and voice your opinions.

Mr. Kleintop indicated that he has broken down all of his concerns: Zoning Variances that are being asked, is a concern, the slopes are considered Class A, concern that this will turn into spot zoning, transportation issues, economic environment, what about making a home room charter, we could invest the money that we are making in different ways. We are possibly looking at another hill. We have just signed another contract with Slate Belt Police, the Road Department received a new contract, Plainfield Township had dropped out of the Comprehensive Plan. Upper Mount Bethel allows transfer stations, Washington Township could allow a landfill. We have sources of income that could be a source of income over the next years to come, we could have 14-18 years and start managing and invest differently. Mr. Kleintop indicated that he thinks it would be a good idea to develop a committee to assist with long-term planning, gather information. Mr. Kleintop does not like how jobs will be lost but there are other items that take priority, we need to review the pluses and minuses.

Commissioner, Robin Dingle indicated that some items that were not addressed, treatment plan for PFAS and the equipment. I had reviewed the equipment and could not locate the models. The EPA indicates that they do not even have all of the information, and additional research needs to be completed along with research into if there are any chemicals in public and ground water.

Another situation is with the steep slopes. Building up a steep slope is different than building on a steep slope and if you do not receive the zoning amendment, than all of this is a moot point.

Ms. Dingle indicated that the Chairman has touched on a lot and that we need to be able to rely on the state and federal permitting process and hope that they cover all, due to the extensive requirements that they are requiring everything. Ms. Dingle indicated that she feels the Commissioners are being forced to make a decision sooner than it is needed, this is a huge impact on our environment, residents, and the future of our families and we are not being provided with the full information. Ms. Dingle indicated that we can possibly move forward and put together an economic committee, which could include a member of the Board of Supervisors, Planning Commission, Zoning Officer, Resident, etc. this group would assist in assessing different situations and look at avenues to bring in money for the Township.

The Financial Assessment that was completed indicates that the tonnage has dropped and will be dropped for the next 4 years, and this is why the taxes were increased. There was no mention of the upcoming businesses, like CRG will be hoping to bring in money over the next 4-5 years. A lot of the material has not been updated. Ms Dingle indicated that she believes that Plainfield Township would be able to monitor their expenses and would be able to survive without the Landfill expansion. Ms. Dingle indicated that we also need to include collecting water samples, testing animals, testing soils, etc. if the landfill is expanded. Ms. Dingle indicated that there should be a contingency fund that is established to benefit the Township.

Commissioner, Allen Schafer indicated that the reason we are here is for the rezoning request received from Waste Management. They will not be able to move forward with any requests, testing, analysis until the rezoning has been approved. About 90% of the letters received are form letters, if you are really against or for the rezoning request then you would be submitting letters, not a form letter, there is no weight behind what you are signing. DEP requires certain information and requires the facility to be appropriately permitted and requires and mandates certain testing, which is conducted and completed by Waste Management. My basic concern is the transportation, but I am thinking that this could be amended, and the situation would be assessed and looked at.

Waste Management, Attorney Greg Davis, thanked the Planning Commission. We have as a group provided as much knowledgeable information as possible to be able to move forward and answer all questions. We are not able to reproduce testing, surveys if not required at this point in time. We have not used the terminology or forced anyone to move forward with a fair share. We are following the process and provided a lot of information even outside of the rezoning request. We will be treating the request just as the same as the current landfill. Waste Management has provided the Township with all current reports. The Gaming Commission is not requiring new testing/assessments be completed and the most active reports are still considered active. We are not aware of the requirements that Environmental Protection Agency will require, in regard to testing of the PFAS, but will make accommodations on the requirements and will meet them and will meet all of the standards that they require in regards to our machinery etc. In regard to the steep slope request, this is standard for any landfill. The standard is usually 3:1 slope and it exceeds Zoning. The steep slopes are maintained by the DEP and State Regulations.

Commissioner, Robin Dingle, asked if Waste Management would be installing the most protective equipment?

Waste Management Representative indicated that they are unaware on how they will be moving forward and will most likely be treating the new landfill as the current but they are aware the land is different etc. Indicating we maintain our NPDES requirements. We meet the standards, and continue to monitor and meet all standard requirements. The Host Agreements were reviewed and updated in 2005. Parties received a \$1.00 increase. You have other big companies and they are not providing royalty, they are not required either. The design has not been completed.

Commissioner, Robin Dingle indicated that the land currently has a slope of 25%, how are you going to move forward with this in your design? Would this be presented to the Zoning Hearing Board?

Commissioner, Terry Kleintop also indicated that the entire property is Class A and B, for steep slopes.

Waste Management representative indicated that we have developed close to the Little Bushkill Creek, and there has been no impact to the creek. Also we can go before the Zoning Hearing Board for a variance or we can ask for an amendment to the Re-zoning request. The request has been brought before the planning commission, we are asking for rezoning, eliminating of the steep slope requirement, and the landfill use in the solid waste district making it 1 standard use.

Commissioner, Terry Kleintop indicated that all outstanding issues or questions needs to have answers and a legal document needs to be produced. From the 350 ton, how much is that from out of state?

Waste Management Representative indicated that on full capacity we are receiving 20% out of state, we collect within a 90 mile radius of the landfill. The employment breakdown is based on full capacity we have not eliminated any positions due to the decrease. Waste Management has spoken with DEP in regard to any concerns on the expansion and they have not indicated any.

Chairman, Paul Levits, requested comment or information on how they would like to move forward. Commissioner, Robin Dingle, indicated that she is not prepared to address amendments to the zoning district.

Solicitor Backenstoe indicated that Waste Management has presented all 3 requests since the beginning and have been provided in the documentation. Each request should have their own motion:

1. Rezoning request
2. Zoning Ordinance amendment
3. Except the landfill from the steep slope district

Chairman along with other commissioners discussed the amount of acres actually being requested and why it is not lower and not including the buffer.

Solicitor Backenstoe indicated that they have requested that the 211 acres be considered for the rezoning and 72 acres is preserved as a conservation easement.

ACTION: Motion was made by Paul Levits and seconded by Robin Dingle to deny the rezoning request of 211 acres due to not including enough information about health risk information, does not line up with the Comprehensive Plan, request of the residents, financial report indicates that the host funds would be ok until 2038 so there is no rush, human risk. Prior to the vote, Chairman, Paul Levits, asked if there were any comments from the governing body or the public.

- **Lisa Perin**

Ms. Perin indicated that she has lived closest to the current landfill for many years. I have drank the water, I have showered in the water, my water has been tested and it has been clean, with no chemicals etc., which also runs into the Bushkill Creek. I have had my family in this home, and we have no documented health issues. Please also remember that the property is also adjacent to the original landfill which did not have the equipment/technology that the current landfill currently has, and the water is still clean.

- **JR Renia**

Mr. Renia indicated that we are seeing different businesses coming forward that can present revenue for Plainfield Township. Mr. Renia indicated that the financial review came back just as we thought it would. We can do this and lets move forward without the landfill expanding. If rezoning is granted it is our community that pays the price. The Perin Family and Slate Springs LLC, has offered money/contributions again. PFAS has significant health concerns that have not even been able to be tested. Do we want to take a chance?

- **Wayne Muller**

Mr. Muller indicated that there are significant signatures on the papers and it took some time, all of the residents that did sign the petition understood and agreed to what they were signing.

- **Millie Beahn**

Ms. Beahn indicated that she 100% agrees to deny the rezoning request based on just the liability, health of our Township. Save our Township going forward.

- **John Reinhart**

Mr. Reinhart indicated that he has resided in the Township for 30 years, he has been in the position of elected and appointed official, a heritage member, County Council, and Board of Health for the Slate Belt. Please think about the health concerns. We all endure seeing the mountains of tires, this is not an organized production, we will have another landfill within our Township. How do we know our soil is not being affected? Is there a long-term study that has been conducted on our water, air and soil and making sure that it is clean and has not been contaminated? I would vote to deny or delay the decision.

- **Justin Huratiak**

Mr. Huratiak request that we do not recommend rezoning. He has indicated that it looks like spot zoning. He has also indicated that he recently closed on a 150 acre property. Our area will continue to be known as the garbage dump. Mr. Huratiak indicated that he has along with Washington Township has filed an injunction to stop the rezoning request.

- **Kelly Grim**

Ms. Grim thanked the members of the Planning Commission for what they continue to do and understand and ask the questions the residents have. Ms. Grim indicated that she disagrees with the request along with the financial portion, and that we have solutions, and if approved it is not in line with the Plainfield Township Comprehensive Plan.

- **Mike Lilly**

Mr Lilly indicated that he can see the machinery driving around at the quarry, the smell has been horrible, but Mr. Lilly thinks that they are utilizing slate from the quarry to assist in covering the smell. This has dropped our property values.

- **Deb Ubel**

Ms. Ubel indicated that she strongly opposes the rezoning request. I did provide a letter, and feel that it is incorrect if residents signed a petition you should still consider that as a letter being written.

- **Jane Mellert**

Ms. Mellert indicated that other Municipalities were not aware that their members wrote a letter indicating that they were for the rezoning. Ms. Mellert requested that the Planning Commission not accept the amendment to the rezoning of the steep slope, or rezoning of the 211 acres. There was another financial study conducted back in 2017, they provided further predictions and offered other scenarios. We deserve better and appreciate supporting the community.

Vote 4-1, Allen Schafer opposed.

ACTION: Motion was made by Glenn Geissiner and seconded by Paul Levits to deny the request to change the zoning use to By Right Use instead of Permitted Use. Prior to the vote, Chairman,

Paul Levits, asked if there were any comments from the governing body or the public. Vote 4-1, Allen Schafer opposed.

ACTION: Motion was made by Robin Dingle and seconded by Terry Kleintop to deny removing steep slope as an existing condition in the Solid Waste District. *Prior to the vote, Chairman, Paul Levits, asked if there were any comments from the governing body or the public.*

Solicitor Backenstoe indicated that they would need to provide all appropriate information to zoning for modification of the land.

- **Justin Huratiak**

Mr. Hartek indicated that with this expansion, it involves other properties that have been brought before the Planning Commission for Zoning changes etc.

- **Paul Romano**

Mr. Romano asks what happens when the economy rises and everything is expensive, and we are not able to assist our kids in sports, maintain the fields they play on? There are a few large businesses that would contribute but a lot are small businesses. Did everyone think about the disaster and damage caused on our environment when the fires in Canada were happening?

- **Tighe Scott**

Mr. Scott indicated that he is suggesting that the plan is denied.

Vote- 4-1, Allen Schafer is opposed.

Chairman, Paul Levits requested that a motion be made to have the Board of Supervisors establish an Economic Development Committee.

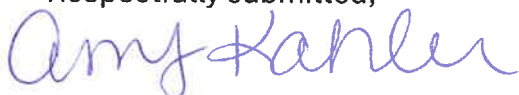
Solicitor Backenstoe indicated that no changes can be made to the agenda and would be violating the Sunshine Act. Item can be added to the next agenda.

ADJOURNMENT:

Having no further business to come before the Planning Commission, motion was made by Glenn Geissinger and seconded by Paul Levits to adjourn the meeting. Motion approved. Vote 5-0.

The meeting adjourned at 9:15 P.M.

Respectfully submitted,



Amy Kahler
Secretary
Plainfield Township

PLANNING COMMITTEE MEETING NOTES MARCH 17, 2025

APPEARANCES:

PAUL LEVITS

GLENN GEISSINGER

TERRY KLEINTOP

ROBIN DINGLE

ALLEN SCHAFER

DIGITALLY RECORDED BY THE PLANNING COMMITTEE

1 MR. LEVITS: All right. Call the
2 meeting to order. Please rise for the pledge of
3 allegiance.

4 (Everyone says the pledge.)

5 MR. LEVITS: All right. Welcome to
6 the March 17th Planning Commission meeting. One
7 item on the agenda is the Waste Management request
8 of rezoning. Before we get started, I hope to see
9 us easily done here tonight by 9:30. I'm going to
10 ask that everybody remain respectful to one another.
11 You're not going to agree with what everybody says,
12 but please refrain from misbehavior. I would expect
13 that out of us. Everybody here are all good people.

14 The process we're going to do tonight,
15 planning -- or the planning members will summarize
16 our thoughts and positions of all the prior meetings
17 that we've had. Then it'll go to Waste Management.
18 We'll answer those questions, question us, we'll go
19 back and forth for a little while and hopefully at
20 the conclusion of that, we'll be able to get a
21 recommendation, a motion and a second, and a
22 recommendation to the Board of Supervisors.

23 I want to take a little bit on some of
24 the history of this process that started for us, the
25 Planning Commission, in October. At one of the

1 October meetings, the Board of Supervisors passed
2 this item down to planning, and I happened to be at
3 that meeting and at that meeting I asked what is the
4 scope of the meeting, or what do you want from us?
5 The Board of Supervisors at that meeting didn't give
6 us any direction. So I think the Planning
7 Commission moved forward to look at everything that
8 was involved in this process. So I'm going to start
9 off and outline some of the things, and Waste
10 Management hopefully will have some conclusions or
11 some --

12 (Recording cut out.)

13 So if you want to make notes and get
14 prepared to ask us questions or debate what we have
15 to say, get those prepared while we -- we go through
16 our positions. The one thing -- I want to state
17 that I felt that this is a business deal between the
18 Township and Waste Management. You guys are here
19 looking for a zoning change. I, as a person in the
20 Township, feel this should be more of a package as
21 to what is going to happen to the Township. And
22 what is going to -- what is the give and take that
23 we're going to have if this moves forward? That
24 question, in my opinion, and I've tried to ask it
25 several times, has been unanswered. This is

1 generational. If this goes through, this is -- none
2 of us sitting up here will probably be here as this
3 parcel matures out. So again, I want to hear things
4 about the future and what the future is going to
5 get.

6 Another thing that's always bothered
7 me, and I tried to bring this up and didn't get an
8 answer, the income that you give the Township and
9 you promote to the Township is a total of \$3.15 per
10 ton. Now, I'm not sure when that was established,
11 but if it was established around 8 -- 1987, I
12 adjusted it for inflation. It should be up around
13 \$8.71 a ton. If I adjusted it backwards, what's it
14 worth in today's value, it's .36 a ton. So we've
15 gone -- the Township has gone significantly
16 backwards.

17 Waste Management has stated they're
18 living up to their agreement. And they absolutely
19 are, you are. I think it was a great agreement that
20 you guys were able to achieve for Waste Management.
21 And if I was with you guys, I would be very happy to
22 have that. I also looked at the -- realized that
23 there were changes in '96 and I adjusted from there,
24 again, because I wasn't sure when those values were
25 set. But if I had to adjust for inflation in 1996,

1 we should be seeing \$6.30 a ton. Again, I don't --
2 you're complying with what you agreed to, and what
3 the Township agreed to, but in that interim, I've
4 seen you guys give a lot of money to Pen Argyl.
5 I've seen you guys give a lot of money to Wind Gap.

6 I think, what do they get, \$1.20 a
7 ton? And when you look at Wind Gap, they take a lot
8 of truck traffic, which they do, but so does Nestle
9 go through there with a lot of truck traffic. And
10 so are more and more warehousing trucks are going
11 through there. And the thing about Wind Gap, it's
12 not local roads. It's all state highways that you
13 go through on there. So the impact on Wind Gap with
14 the trucks, I get it. But the fact that you're not
15 damaging their roads, put quotes around that,
16 directly is, you know, we as residents of the state
17 absorb all that cost.

18 An issue that I -- needs to really be
19 addressed are the health issues. I don't think this
20 has been --

21 MR. GEISSINGER: This one work?

22 MR. LEVITS: Yeah, this one works.
23 Got a winner.

24 All right, the health issues. It's
25 not been discussed at all, in my opinion, to take a

1 look at this. I was doing some research on health
2 issues and came up with some information that from a
3 site called SixWise.com, and it's about landfill
4 leaking toxins, and this has come up from many -- or
5 several residents about the concern for the
6 long-term health. And according to this, the EPA
7 has concluded that no -- that a more reasonable
8 assumption based on what is known about the
9 pressures placed on liner over time, is that any
10 liner will begin to leave eventually. So where are
11 we going to be on two generations on some of this
12 stuff? Even the stuff that's there now, where are
13 we going to be?

14 Some of the other issues that have
15 come up, and I think need to be looked at and
16 answered, possible risk of certain types of cancers,
17 including bladder, brain, and leukemia among people.
18 Babies born to mothers have a greater risk of birth
19 defects. Living near a landfill can reduce immune
20 system function. Dr. Carpenter from Institute for
21 Health and Environment at the State University of
22 New York at Albany, he said, the extent to which
23 toxic landfills' contaminants suppressed the immune
24 system has been underestimated. These are all
25 things that I think have to be looked at and

1 reviewed before we could be comfortable in making
2 these recommendations and what's good -- what's good
3 for all of the people.

4 I also -- in some research found out
5 both nationally and internationally studies that
6 have been done, is that a lot of times they don't
7 recommend population centers within three to five
8 miles of a landfill. So I took the map of
9 Plainfield Township, a copy of the map, and I laid
10 out a mile radius, a two-mile radius, and a
11 three-mile radius. The one-mile radius gets about
12 30 to 40 percent of Pen Argyl in that zone that's
13 supposed to be considered high-risk. The two-mile
14 radius takes in most of Wind Gap and all of Pen
15 Argyl, and the three-mile radius takes everybody in
16 a good percentage of the Township.

17 So we're talking 3,000 people in Pen
18 Argyl, 3,000 people in Wind Gap, and probably half
19 our population at the three-mile distance in
20 Plainfield. So we're talking close to 9,000 people
21 at risk based on that information. And it's been
22 repeated over and over in studies that have been
23 done both nationally and internationally. So
24 that's -- that's an issue I think needs to be
25 seriously addressed on what we have.

1 The next issue, comprehensive plan.
2 Our comprehensive plan calls for preserving and
3 maintaining farmland. We would not be preserving
4 and maintaining farmland. We want to direct
5 development away from farmland. We would not be
6 directing development away. Conservation of steep
7 slopes, well I think this project goes into a steep
8 slope, or almost a steep slope, and I was reading
9 some issues about landfills and steep slopes and
10 failures of the steep slopes. And the comprehensive
11 plan is once building growth near infrastructure.
12 Well, this would be near -- would possibly be
13 infrastructure for development for other purposes
14 being right up against Pen Argyl. So, it doesn't
15 really line up with that -- with what the community
16 has had in place for a long time.

17 The next issue, money. Absolutely.
18 We all understand that we're going to have a
19 difficult hit financially. However, we have about
20 four years left for the closure or before year
21 close, and then the post-closure account. Several
22 meetings ago, Mac Lenin did a very good declining
23 balance sheet for us. And it shows money available
24 for the next 16 years or in the declining balance
25 for 16 years. So we've got between 16 and 20 years

1 to figure things out.

2 Anticipation of what's happening in
3 the Township, you know, we talked about employment
4 and stuff like that. You guys yourself are going to
5 be -- are building your material recycling facility.
6 The cubes are coming in. We have other projects in
7 the works. Many of them will come to fruition over
8 time.

9 So, an unfortunate thing in addition
10 to the money is job loss, but I think there's
11 increasing opportunities within the general area to
12 offset much of that problem.

13 Residents, the residents that forward
14 information to the Township -- to the borough of --
15 the Township office, by signature, I counted them
16 up, there was about 90 plus -- between 90 and 100
17 against expansion. There was one individual, by
18 letter or signatory unless I missed it, that was for
19 the expansion. There were two -- there was one Wind
20 Gap Municipal Authority, two from Green and White,
21 and a Delaware something or other, I forget which
22 one that was, were in favor. So no individuals,
23 just entities. And at the last meeting, we had
24 seven people stand up and speak against it and three
25 speak for it. So the residents right now, you know,

1 they don't seem to be concerned with the loss of
2 money. They're more concerned with the end of being
3 a landfill.

4 So my observations at this point, I
5 think you need -- we're going to lose money, we're
6 going to lose jobs, and I really feel a problem -- I
7 hate to see the loss of jobs, but in exchange for
8 that, we'll reduce our health risks, we'll follow
9 our comprehensive plan, we'll follow the majority of
10 residents. I think the area, instead of being known
11 as the dump, especially Pen Argyl, I think that
12 their reputation can change somewhat. Property
13 values nationally are affected by about a negative
14 seven percent when you have a landfill, so that
15 would also help to maintain the rural environment.

16 So those are some of my thoughts and
17 observations I've had from our past several
18 meetings. I am going to pass this on to our
19 Vice-Chairman so he can give his positions and some
20 thoughts and then we'll get the rest of the board in
21 and we'll go from there. I guess this is the one
22 that works.

23 MR. GEISSINGER: I think we got this
24 one working here. Thank you, Mr. Chairman. I
25 appreciate it -- oh, maybe not. It went out again.

1 How about now? We just put new batteries in but it
2 died anyway. Try this.

3 All right. Thank you, Mr. Chairman.
4 I had the opportunity to give my thoughts earlier to
5 the press and they have not changed. I found that
6 Waste Management has been a good and honest
7 companion to the Township. They have honored the
8 agreement which they negotiated with the Township
9 and they have done it in a manner which has been in
10 accordance with the spirit as well the letter of the
11 law.

12 I've also found, as Mr. Levits has
13 indicated, that the majority of the citizens in the
14 Township are not in favor of the rezoning. I have
15 had the pleasure and the responsibility of sitting
16 where the supervisors sits in a different level, and
17 it ultimately will be their decision. And I always
18 remember what Sir Edmund Burke said, that when you
19 trade your discernment to that of the people, you do
20 them an injustice. But having said that, I do have
21 my concerns and a great deal of them. I find that
22 the traffic issue is still not currently really
23 resolved in my mind. The timing of those trucks
24 attempting to cross Pen Argyl Road concerns me
25 greatly.

1 The issues with the forever chemicals
2 that you cannot address because you don't know what
3 they are and neither do I, they do concern me
4 though. Having been involved in the aviation
5 industry and having seen the removal of those
6 chemicals from the hangers because of the things
7 that they have created in individuals, even though
8 they were government mandated at one point, makes me
9 very nervous about what they would do for our water
10 supply.

11 As Chairman Levits pointed out, the
12 involvement and the noise, light, effects on the
13 environment in many aspects, within a one-mile,
14 three-mile, five-mile radius, is significant to the
15 individuals, the Township and both boroughs. I'm
16 still feeling very torn on where this matter is at.
17 I do thank you for all that the Waste Management has
18 done. Over the years, I've spoken to a number of
19 residents who lived here before I did and I know
20 that you have done a lot of work to attempt to make
21 the landfill as clean and as efficient and as
22 unobtrusive to our community as possible. But
23 again, I don't know whether or not that is
24 sufficient to expand these operations.

25 Who do you want to go next.

1 MR. LEVITS: Okay. Very good. No,
2 this way.

3 MR. GEISSINGER: You want to go to
4 Allen?

5 MR. LEVITS: Senior.

6 MR. GEISSINGER: Okay.

7 MR. LEVITS: I'm going to go to the
8 senior. That's be Terry. Let's go with seniority.

9 MR. KLEINTOP: Thank you. I have a
10 few questions that I'm going to throw out and I have
11 remaining from other meetings. Well, now that we're
12 down to 350,000 tons, will 40 percent of the 350,000
13 tons still be coming in from New Jersey or will New
14 Jersey make up a greater portion? PFAS water is
15 currently being discharged from the treatment plant.
16 Is that being tested and/or are you required to test
17 it by DEP and if so, how often does that take place?

18 Next question, has the DEP indicated
19 that it is willing to permit a second landfill in
20 the headwaters of the Waltz Creek Watershed? And
21 then -- or is your employment breakdown -- the
22 employment breakdown that you provided, is that
23 based on staffing at 350,000 tons or is that
24 staffing based on your maximum, which I think is
25 640,000 tons a year? I think when you're dealing

1 with a situation like this, you want a situation
2 where people have enough information to make common
3 sense, reasonable, and visionary decisions. Because
4 I do think the decision itself that will be made
5 here will define where Plainfield Township's going
6 in the future.

7 I would have preferred if the resident
8 tax payers could have been the deciders and allowed
9 to express their wishes through their
10 (indecipherable). As Solicitor Backenstoe
11 indicated, that is not possible. I am currently
12 observing a major conflict. I have read letters of
13 recommendations in favor of a second landfill that
14 have been received from the Borough of Pen Argyl,
15 which I think represents somewhere around 3,462
16 residents, the Borough of Wind Gap, which I think
17 represents 3,601, and then I've also read a letter
18 from Wind Gap Municipal Authority. All are very
19 much in favor of a second landfill.

20 Now, I don't know who those letters
21 are representing. I would hope those letters are
22 representing the residents' wishes, but I don't know
23 that. As the others before me have said, the
24 majority of the letters from the residents that have
25 been received are against the second landfill.

1 Therefore, I think it's really important that the
2 residents of Plainfield Township attend the Board of
3 Supervisors meeting and let their legitimate wishes
4 be known.

5 The only other alternative I see is
6 that this is an election year. There is a primary
7 election on May the 20th. That may be another
8 method that allows the residents and tax payers the
9 opportunity to make their wishes known.

10 Unfortunately, in the primary, independents will not
11 be able to participate. That won't give us a
12 clearer view until the November general election.

13 I have broken down my concerns into a
14 number of areas. I have gone through technical,
15 legal, transportation, finance, economic, health,
16 environmental, recreational, esthetics, evaluation
17 of current municipal services being provided, Fair
18 Share Doctrine, American Rescue Plan Act and
19 certainly look at the land that is being asked to be
20 rezoned. I certainly think that it needs -- 133
21 acres is apparently what you're asking for but you
22 end up with 211. 78 of which have been identified
23 through the proper -- and I personally think 114
24 plus 78 for a total of 192, if that's the way we go,
25 definitely is a buffer and should have a

1 conservation easement on it.

2 The zoning variances you're asking for
3 are a major concern because, fortunately, this land
4 is definitely in 25 percent plus slope, known as
5 class A, and in my view, that is very much to be
6 concerned about for the future and farmer's failure
7 and so forth. We certainly know what's happening
8 with some of the landfills in Northampton County who
9 had a major breakdown in Chrin a number of years
10 ago.

11 I'll just quickly run through my
12 points. The legal portion, especially since Chrin
13 has bought property that is contiguous through what
14 Waste Management is proposing to buy. I am very
15 concerned with transportation issues, the constant
16 traffic disruption on Pen Argyl Road.

17 Financial/economic, we need to do
18 something about that. One million six is bringing
19 back a very poor return for Plainfield Township and,
20 of course, economic environment we've been in for
21 the last 15 years, that's just expedited that with
22 where bank rates have been. But the last two years
23 have brought bank rates around. Pennsylvania is
24 very restrictive on what we can invest in, but I
25 would think certificates of deposit that are out

1 there right now are four and a quarter at least. So
2 I would think you should think about looking into
3 converting over to that rather than in bonds.

4 And if freedom is required, and it is,
5 creativity in order to get a decent return on our
6 trust fund -- I don't know how Solicitor Backenstoe
7 will react to this, but there also is something
8 known as a home rule charter. We can adopt it and
9 give the Township an opportunity to invest in a much
10 different fashion than what they are currently
11 doing.

12 The health issue, the fact that we
13 don't have a human health risk assessment to look at
14 is troublesome. Environmental, the fact that we
15 don't have an environmental impact statement is
16 troubling. Recreational, the 66 -- the 0.66 mile
17 Plainfield Township Recreation Trail that has been
18 incumbered for the last 28 years, purchased with tax
19 payer dollars, means (indecipherable) going forward.

20 Esthetics, what we're looking at is
21 the possibility of another mountain of 900 feet --
22 (indecipherable). Evaluating recurring municipal
23 services being provided, two biggies. The Slate
24 Belt Regional Police, where we just signed a new
25 contract -- I think our budget there is about a

1 million four or more a year with very, very healthy
2 increases that have been negotiated over the next
3 four years. The Public Works Department, again, a
4 very, very lucrative contract, has just been
5 handled.

6 Fair Share Doctrine, that relates
7 directly back to the Slate Belt Municipal
8 Comprehensive Plan, obviously, we have Plainfield
9 that dropped out, but that is a contract that
10 Plainfield Township made -- how far down the road
11 they are willing to go with Waste Management.

12 Certainly there are options, anyone
13 who would ever challenge I think would move in court
14 because we certainly can prove that we met our fair
15 share. And having personally been on the steering
16 committee for Plan Slate Belt -- I was privy to the
17 back and forth between Solicitor Backenstoe and the
18 Lehigh Valley Planning Committee on trying to get
19 language incorporated. It would protect Plainfield
20 Township from future applications in regard to this
21 particular use.

22 And he also evaluated the possibility
23 of these uses in other surrounding municipalities.
24 We all know Lower Mount Bethel dropped out of plans
25 as well, so what you're left with is Washington

1 Township and Upper Mount Bethel Township. Upper
2 Mount Bethel Township allows for transfer stations.
3 As I recall, Washington Township doesn't allow for
4 landfills. But based on the conversations I was
5 privy to while I was on the steering committee,
6 there wasn't a whole lot of interest in going in
7 that direction.

8 I don't know where we stand on
9 American Rescue Plan as far as use of those monies.
10 And as I mentioned, there's a conservation easement
11 that I would prefer to see in place in regards to a
12 buffer. And the zoning variances, that really needs
13 a lot of revisiting before you're able to move
14 forward. And we have sources of income coming
15 onboard. We have the cubes at Wind Gap which are
16 two warehouses that should be on board in the next
17 few years. Certainly, in the recent Grand Central
18 Interior Recycling Facility and then, of course,
19 there's the Green Knight Industrial Park too that's
20 important to revenue and I didn't see that being
21 accounted for in the Susquehanna Accounting and
22 Consulting Solutions report which was recently
23 received, which indicated that we would need
24 tremendous increases starting in 2038 and '39.

25 I looked at what we have provided --

1 what we have seen, and I also looked at the
2 MyClimate projections and it would appear to me that
3 for the next 14 to 18 years, we have the opportunity
4 to start managing things, to start investing in a
5 more lucrative manner, if we can. And I think all
6 those things need to be visited to see where we can
7 go. And 14 to 18 years in the environment we've
8 been dealing with in Plainfield based on the last 8
9 to 10, there should be other things coming in our
10 direction and I think we need to possibly develop
11 committees, maybe an economic development committee
12 in Plainfield Township. We once had a long-term
13 planning committee and I think we need to evaluate.
14 I'm not saying I have -- all the bullet points that
15 I listed are everything that should be included and
16 I certainly have (indecipherable).

17 The last bullet point I have is
18 employment and informed jobs. And I hate to see
19 those jobs being lost, but when you stack it up
20 against some of the other items I mentioned, I think
21 you possibly have to consider it because there's --
22 it's a matter of what are the pluses and what are
23 the minuses. I could go on for another 10 minutes
24 but I think you've heard enough from me.

25 MR. LEVITS: Okay. Ms. Dingle.

1 MS. DINGLE: Yeah, I have some notes
2 as well, but again, a lot of the information has
3 been presented, but I'll just follow up with that.
4 With regard to some of the things that I feel
5 weren't addressed when we presented and asked you
6 for information, at least not to the level of detail
7 that was requested, was regarding your PFAS
8 treatment plan. You just kept giving us the name of
9 what you have or plan on using. But again, the fact
10 sheets and manufacturers' expense with regard to the
11 efficiency of those models of equipment was not
12 provided.

13 So I just wanted to say I did look
14 those up on the -- I looked those names up and went
15 to the company website, there's signage of
16 information and -- actually just lists of all the
17 equipment and models, and the two models or the
18 names that you gave me were not there. So I'm not
19 sure if your models are outdated or if you didn't
20 provide the right names, but I could not find the --
21 any information on what you provided in your
22 responses. So, just -- again, that sort of a lack
23 of information right now with regard to that.

24 Also, following up on the forever
25 chemicals, the PFAS. The 2024 EPA update on PFAS

1 stated that real world performance data for current
2 destruction disposal technologies for PFAS are
3 limited, and additional research is needed to
4 understand their effectiveness. Basically, that's
5 what I think we're trying to understand. There's a
6 huge risk to the environment, to the public water
7 supply, and groundwater that really hasn't been
8 addressed. Again, we don't know what direction
9 we're going to go, but a 30 to 50-year commitment
10 plus what we've already put in the land, it seems
11 like that's a big question mark for human health and
12 ecological risks.

13 Again, the steep slopes. One of the
14 things -- again, I think we talked about and I'm
15 still a little bit confused by is that you are
16 designing on a steep slope that right now the
17 Township ordinance does not allow. So in your
18 rezoning request, you're also trying to request an
19 amendment to the zoning ordinance to allow solid
20 waste landfills in the steep slope areas.

21 So my question is, you're asking us to
22 rezone something, you're not providing us with the
23 information, I would think that the amendment -- can
24 you build the landfill if you don't get that zoning
25 amendment? In other words, this whole thing might

1 be a moot point. If you don't get that zoning
2 amendment, then can you design a landfill there? It
3 is -- they're excessive steep slopes. So that's the
4 question.

5 I mean, why are we wanting to rezone
6 something when we don't understand if you can even
7 use the land there? I would think that that would
8 have been one of your higher priorities before the
9 rezoning, because right now, we don't have
10 information to help us make that decision. It seems
11 like the footprint would be significantly reduced,
12 limiting your ability to use that land and may not
13 be a cost-benefit ratio for Waste Management.

14 So again, I'm confused as to why
15 that's being withheld and proceeded so late in the
16 process. I don't think we want to rezone something
17 and then have the landfill turned down, 'cause that
18 just opens the door for the next one to come in and
19 something else to happen there. We prefer
20 (indecipherable).

21 So those were some of my comments
22 that, again, just I didn't feel were addressed
23 during our previous meetings and I'm not sure going
24 back and forth would help. So just something to
25 be -- I would like to understand the process on

1 | that.

2 Also, I think Paul touched on some of
3 this, and I've mentioned it in previous meetings, I
4 think we need to be aware, the residents and the
5 board, that we cannot rely on the state and federal
6 permitting to cover and accommodate the human health
7 ecological risks that our Township will potentially
8 experience. Federal regulations are geared for a
9 national level, so they are at the national level.
10 Even the state is based on the regional. They have
11 regional offices and regional divisions.

12 We are very specific to our
13 geographic, our topographic, our soils, our land
14 use, and our history. So for us to rely on the
15 state permitting process to say that will be
16 addressed and that's kind of what we're being told
17 that Waste Management will comply with state and
18 federal permitting. The local ordinances do not
19 include a lot of the issues at this time that if the
20 landfill were to proceed, we'd be able to actually
21 enforce. So permitting or rezoning at this point
22 would pretty much allow a lot of things that we're
23 discussing as concerns to proceed without any
24 permitting or review or supplemental information.

25 With that said, I just wanted to say

1 that that is something, and again, I'm jumping
2 around a little bit, but the time frame on this is
3 such that it seems the board and the Township are
4 being pushed to make decisions very quickly here
5 because Waste Management needs to get their permits
6 in and they need the rezoning. However, we as a
7 Township are committing to a very long-term
8 potential impact. Adverse or beneficial has yet to
9 be determined because we don't have the information.
10 But with that time frame, I guess what I was
11 thinking was that we as the Township can set up, and
12 Terry has mentioned this and I know some of the
13 public has brought this up to everyone's attention,
14 an economic development be made. Which if we were
15 to allow the Township 6 to 12 months -- actually
16 it'd probably be a 12-month period, that would allow
17 us more time to develop a committee that could
18 include a board member, a Planning Commission
19 member, a Zoning Commission board member, and maybe
20 some local representatives from the realtors or
21 business people so that we could assess and look at
22 how we might be able to act, fill, and promote other
23 revenues for the Township. I think we need to be
24 given some time to do that and understand how we can
25 replace that.

1 And that again touches on the time
2 frame. The financial report, yes, has indicated
3 there will give us lots of revenue. It's my
4 understanding that in that report, it clearly says
5 that the tonnage for the next three years -- '25,
6 '26, '27, '28, four years, has been dropped because
7 they're trying to stretch out their operations to
8 last 'til the end of their permits so they don't
9 have a gap and with that drop in tonnage. There was
10 a drop in the revenue so that's why the Township
11 added the additional taxes, the two melds. So at
12 this time, our taxes have been adjusted to count for
13 the next four years. So we have four years before
14 this threat of increased taxes.

15 Then if you read the report, this even
16 extends out to 2038 because of the environmental --
17 or the host fund reserve, the account. And as Terry
18 said, that could be more aggressively managed, could
19 probably be extended even further. The report does
20 not include any additional development and taxes
21 associated with those properties and those
22 developments and appropriate areas and compatible
23 land uses. CR Dew was not mentioned and the
24 recycling plant wasn't mentioned.

25 So I do believe there's a lot of

1 opportunity for the board to sit down and take the
2 time necessary to really evaluate this and set up a
3 committee and be proactive. Take the four years
4 that we have. I know there's going to be a lot of
5 push from Waste Management because of the permitting
6 schedule and they're commitments and I understand
7 that, I've been on both sides of the table with
8 that, but at the same time, this is something that
9 is a huge long-term commitment and cannot be undone
10 once it's done.

11 So the rezoning, unfortunately, is
12 something that has to be approved for you to start
13 permitting. That's not really true. You can start
14 it, you just can't submit until the rezoning. You
15 can have everything done, it's just you need the
16 rezoning. So I guess as much as we're saying we're
17 going to move forward and take another 12 to 18
18 months to maybe see what we can do and move forward
19 before we make a decision regarding the rezoning,
20 you guys might have to put out a little risk and
21 manage that by proceeding with your cost and
22 permitting to stay on schedule. You're asking a lot
23 from us to give, but you're not really putting a lot
24 of -- a lot of material that's been provided was
25 prepared back in 2012, you're original filing or

1 whatever. So --

2 MR. KLEINTOP: 2020.

3 MS. DINGLE: 2020, sorry. So, I'm
4 just saying, I do feel the board has a lot of time
5 yet to make some decisions, anywhere from 12 months
6 to 4 years and actually, we have until 2038 to
7 replace the financing and funds in that. So I don't
8 feel our Township is going to go bankrupt. Other
9 towns have survived the landfill and I'm pretty
10 positive Plainfield is just as strong and can
11 survive the landfill.

12 Some of the other things I think the
13 board should consider when taking this time to
14 reevaluate its moving forward, and I think Paul
15 mentioned some of this, and knowing what is involved
16 and what the Township will get out of this or I
17 think any contract moving forward, if that's the way
18 the board plans to proceed, I think we need to
19 upfront ask for and obtain detailed data on the
20 existing baseline, air quality, noise levels and
21 host expansion area.

22 We need to collect groundwater samples
23 from the host cite and from wells of homeowners
24 within a four-mile radius of the landfill and set up
25 a monitoring program that ensures the health and

1 integrity of those groundwater wells, as that can be
2 used for both human and livestock consumption. We
3 should be collecting surface water samples from
4 wells to ensure the high quality stream is
5 protected. We should be identifying and require
6 funding for the repair and maintenance of township
7 roads and bridges as well as funding of emergency
8 responders. These are all expenses that the
9 Township will incur if the Waste Management facility
10 were to expand and continue and we need to protect
11 our finances and our Township and our residents.

12 And then, as I said, the expense funds
13 should be in contributions should be, I believe,
14 increased to account for the cumulative impacts. We
15 have currently an existing landfill. They're
16 expanding that. So we have the original impact from
17 the landfill, but yet we don't know what's going to
18 happen over years as that begins to break down and
19 settle. And now we're adding another potential
20 landfill. I think the cumulative impact of those
21 two landfills needs -- we should be looking at some
22 contingency fund that will then again allow the
23 Township some comfort if there's a huge remediation
24 or human health risks to take care of.

25 That's -- those were the ones I had,

1 so again, a couple of points in there that can
2 expand our numbers. Thank you.

3 MR. LEVITS: Let me go to Allen.
4 Allen. Saving the best for last.

5 MR. SCHAFER: Oh yeah. Okay. So I
6 will not be as long-winded, I can assure you that.
7 I'm going to base my decision solely on -- I believe
8 we're here for rezoning and I feel as if some of
9 these questions and answers and concerns are being
10 stated at the first step and the first step should
11 be the rezoning because we can't get answers for
12 some of these other questions until they can move
13 forward and I understand that on a business
14 standpoint.

15 One thing I will say, I -- you know,
16 the 90 to 100 against the landfill, so I read
17 through them all and 90 percent of them were on
18 these same form -- it was the same form that was
19 sent out with signatures. If you're against
20 something, to me, I feel as if you should emphasize
21 why you're against it or why you're for it.
22 Ninety-nine percent of the forms that came back as
23 positives, those individuals stated why they were in
24 favor. Okay. So that tells me that people here are
25 in favor, and I spoke to a lot of people about this

1 personally. What I got out of it is a positive and
2 like I said the -- I don't know. Somebody may have
3 just passed a paper around and got signatures.
4 That's -- that's -- but to me -- because I'm here
5 for the community, I'm not here -- I want to hear
6 what everybody has to say, but when you just sign a
7 piece of paper and you can't tell me what your
8 concern is or why, it's just a no, that doesn't hold
9 much weight to me, okay.

10 I like to put my faith in the --
11 because like I said, we're a step ahead. This is
12 just to rezone, but it's like any other business.
13 I'm not -- I am not into the landfill business. I
14 don't know the obligation of DEP, what I would
15 assume it's controlled by the DEP. So to me,
16 they're mightier than I am, I put my faith in
17 somebody that know what they're doing. I understand
18 everybody's concerns, but it is not our job to run a
19 facility or test a facility.

20 One concern I did have, like Glenn
21 said, was the transportation across the road. I
22 think that can be handled. I think it needs to be
23 handled if this were to go through. I believe there
24 is enough time to get across, but it would not be a
25 good thing if somebody could not get across because

1 we all know how that road is traveled.

2 I think that's all I had. Everybody
3 hit everything. Yes, that's all I have.

4 MR. LEVITS: Okay. At this time,
5 Waste Management, their representatives -- you guys
6 want to discuss anything, question us, counter us,
7 whatever you would like to do?

8 MR. DAVIS: Is this thing on? Okay.
9 I just wanted to start by thanking the Planning
10 Commission Board for your civility and for the
11 spirited dialog you've had through the course of
12 these three and a half, now four months. As -- now
13 I'll be happy to pass on down the line to my
14 colleagues on the team if they want to answer any of
15 the questions or address any of the issues the
16 Planning Commission raised tonight.

17 As Robin suggested, we've done our
18 best to answer the questions that you've raised over
19 the course of the three prior meetings. Probably
20 not to your satisfaction is what I'm hearing
21 tonight, but again, we did our best to answer the
22 questions at that time and then followed up with
23 written correspondence to the Planning Commission to
24 try and tie up any loose ends. Again, I'm going to
25 pass the mic down the line to see if there are other

1 issues that our folks want to address.

2 On the couple of legal issues, Terry,
3 that you raised, and Solicitor Backenstoe may
4 disagree with me here, I don't -- hopefully he will
5 not, this is not a spot zoning issue, it's just
6 simply not spot zoning. Spot zoning involves the
7 situation with the land in question. It's treated
8 differently than indistinguishable neighboring
9 parcels. We're proposing here to treat the land
10 exactly as the adjacent parcel. The adjacent parcel
11 is zoned solid waste. We're proposing to rezone
12 this land as solid waste. It's not a spot zoning
13 issue.

14 With respect to the fair share
15 argument. Similarly, we hope -- well, not that it's
16 not a fair share issue, we are not raising a fair
17 share issues. We are not telling you, Township, you
18 must rezone this because you don't meet your fair
19 share. We're coming to the Township at hand and
20 saying, would you please consider rezoning this
21 parcel? Here are all the good reasons why you
22 should. Not you have to, we think you should.
23 Please consider this. That's the context with which
24 we are before you and we will leave before the
25 supervisors. I just wanted to be clear on those

1 legal issues.

2 And again, I'll pass this down and
3 maybe pass it back to me, I'll be happy to take it
4 again, but --

5 WASTE MANAGEMENT: I'm not sure I have
6 a whole lot more to add than what Greg provided, but
7 no -- I think -- again, I think we respected the
8 process through the now almost four meetings over
9 the last what three or four months. We went through
10 this rezoning application. I agree we touched on a
11 lot of items that really aren't zoning-related and
12 the back-and-forth, even though we tried to do our
13 best to answer those. And I think we were pretty
14 fair in indicating that this is the first step in
15 the project, so. No developer is going to go
16 through sniffing a cost around some of these items
17 until they know they actually have a project, which
18 we don't know we have until we get through this
19 first step, so.

20 Some of the things that came up
21 previously, the environmental reports. I think I
22 just need to reiterate, while some of you folks
23 don't like the dates on the reports, we did get
24 confirmation from the Pennsylvania Game Commission,
25 who is the residing borough that oversees the

1 process, to do the inspections observations
2 reporting, and they have confirmed that the
3 information is backed. So regardless of the date,
4 the information is still backed. So I wanted to
5 make sure I get that point across because I don't
6 think we did that last meeting.

7 The PFAS issue, and Robin, I think you
8 said it the best, we don't know what the direction
9 is going to be for limits. Pennsylvania hasn't
10 established limits for wastewater discharge, but
11 we've obviously said along the -- in all the
12 meetings that this has come up that it's critical
13 for -- we're going to be obligated to meet treatment
14 standards if they actually -- if Pennsylvania
15 decides to adopt them. And they'll do that through
16 the Pennsylvania Department of Environmental
17 Protection.

18 So, if and when that day does occur,
19 we're confident that our technology will get us
20 there and that's why we provided the information we
21 did. Now they may have updated model numbers since
22 we installed our system, because it is now a couple
23 years old, and I know technology changes every six
24 months and names and model numbers change as well,
25 so -- but regardless, even if the reverse osmosis

1 system we have on-site didn't meet the new
2 standards, we'd be obligated as a permit holder to
3 install new treatment methods to the meet those
4 standards.

5 So, we're well aware of that, you
6 know, with the risk that's out there. PFAS
7 obviously is an emerging contaminant and concern,
8 but it seems to taint just about everything we use
9 and food packaging we consume, so it's certainly
10 something that's hard to move away from, but -- but
11 we know other states have adopted some more
12 aggressive standards, and again, once Pennsylvania
13 gets to that level we'll -- we'll definitely follow
14 suit. And we'll be obligated to as a permit holder.

15 The steep slope thing that came up, I
16 know there is a text amendment in front of your
17 group to waive the steep slope requirements for
18 landfill. It's something we've traditionally
19 stopped in for -- in prior expansion applications.
20 One reason being is that the stair steep slope
21 information in the zoning -- a three to one slope
22 that's constructed for landfill actually exceeds the
23 zoning ordinance requirements. So we've also -- so
24 at this point it's, you know, we're just trying to
25 make sure it's an easier step and process.

1 MS. DINGLE: Just for clarification, I
2 understand the slopes of the landfill exceed the
3 standard --

4 WASTE MANAGEMENT: Right.

5 MS. DINGLE: -- but the problem is the
6 slopes are actually existing steep slopes, so if
7 something fails or goes --

8 WASTE MANAGEMENT: But we're not
9 constructing the steep slope, Robin. We'll be
10 bridging forward. I mean, we're going to be coming
11 in there and doing all the site work development. A
12 lot of the steep slopes will be excavated or removed
13 and the MSE wall, mechanically stabilized earth
14 wall, will be constructed and then it will be
15 three-to-one slope as the landfill fills to create
16 an elevation. So -- so, yes, while those steep
17 slopes exist, they'll be heavily modified during the
18 construction process and we'll phase it accordingly.

19 MR. KLEINTOP: Do you do -- are you
20 required to do any testing of the leachate discharge
21 at this time?

22 WASTE MANAGEMENT: Not currently, no.

23 MS. DINGLE: Okay.

24 WASTE MANAGEMENT: I mean, we have a
25 pretty significant set of primaries that we do

1 sample for on a monthly basis to report out on our
2 discharge monitoring report.

3 MS. DINGLE: I have a question
4 regarding the PFAS. You said some states have
5 stricter requirements. Waste Management is a
6 national firm, is there any way that -- again, the
7 concern is, as you know, a lot of these contaminants
8 we don't hear about or know about until after the
9 fact. By that point, we've already been exposed, so
10 the concern is like, will Waste Management be
11 willing to implement or install the most protective
12 measure although not required by DEP but is probably
13 used in some of the other landfills in other states,
14 would they implement and use it -- put that into
15 this landfill to be protective -- the most
16 protective that as currently is available with
17 technology?

18 WASTE MANAGEMENT: Yes. So look, I
19 mentioned in the last meeting I think that we're
20 very familiar with the full fractionation technology
21 that was installed in one of our competitor
22 landfills in Bethlehem, and the reality is while
23 they can effectively remove PFAS in the treatment
24 process, they have no idea what they're going to do
25 with that super concentrate coming from that

1 operation and how they're going to manage that long
2 term.

3 So, you know, the question really
4 becomes if we get overly aggressive with chasing the
5 PFAS limits, how do you manage the concentrate going
6 forward? What are your outlets? And no one has a
7 solution for that yet. So even in the states where
8 they've adopted some of those more stringent
9 standards, I think they're struggling with putting
10 the cart before the horse and really vetting out and
11 understanding how to handle everything from a total
12 perspective not just from a single discharge point.

13 You know, again, I'm pretty confident
14 in the technology we installed -- you know, we have
15 installed and we're going to meet our extreme
16 discharge to high quality exceptional value stream
17 for Little Bushkill. So, we've been well ahead of
18 the treatment technology for a long time, basically,
19 ever since we utilized our NPDES program for
20 discharge. It just happens to be the technology all
21 soon to be able to remove PFAS and we think that
22 will detect levels once we get to that point, but
23 without having any standards, there's really nothing
24 that -- to move forward with.

25 And look, I think there's some other

1 things that I -- we're sort of standing more
2 holistically around, the host agreement and
3 financial's for the Township, so. Paul, just to
4 make one correction, we were advised the host
5 agreement in 2005 as part of the (indecipherable)
6 application. And at that time, the Township got
7 awarded, I think, \$1.00 a ton to the host agreement.

8 MR. LEVITS: '05?

9 WASTE MANAGEMENT: '05. Again, we
10 were the last players at that point, but that was
11 also around the first time we had to actually have
12 agreements in place with neighboring communities,
13 both Wind Gap and Pen Argyl, so both of those
14 communities are getting royalty per ton similar to
15 Plainfield, although not at Plainfield's level.

16 And you know, while Act 1 for the --
17 the state legislation act that required host
18 community to get a minimum of \$1.00 a ton in the
19 landfill permitting process, harms versus benefits
20 came out in I think the late '90's, early 2000's and
21 that sort of expanded the reach of the potentially
22 effected communities. It established the local
23 municipal fund process. And through that, a new
24 permitting other communities were identified as
25 potentially being impacted and, in our case, it was

1 Plainfield and Pen Argyl -- I'm sorry, Wind Gap and
2 Pen Argyl boroughs. So that part of the process,
3 the harms versus the benefits really requires that
4 we negotiate with not just our host communities in
5 this case, but other communities that are surrounded
6 by out here landfills.

7 So, see, when we look at that package
8 in total, you have to pull in those other two
9 communities. It's not just Plainfield rurality,
10 it's what we have to do in total for all three
11 communities because those are three communities that
12 are concerned about addressing concerns on a
13 go-forward basis.

14 So -- and I know you mentioned Nestle
15 water, but I think I'll just point out -- I thought
16 it would be kind of clear, but maybe it's not. The
17 only reason why no one else is paying is because no
18 one else is required to do it by the permits, we
19 are, or by the state statutes and regulatory
20 requirements. So, I don't -- you know, I'm not
21 surprised that Nestle or others wouldn't offer to,
22 they're not obligated to like -- like we are.

23 Dave, is there anything else you
24 wanted to add to the steep slope piece of it or --
25 or --

1 WASTE MANAGEMENT: I'll touch on it
2 really briefly. So on the steep slopes, the
3 landfills have main design components or regulations
4 for the landfills are governed by in this case DEP
5 and the state regulations. The steepest slopes
6 allowable are three-to-one slopes, 33 percent.
7 Those are very, very common throughout the entire
8 state in all different types of environments.
9 Outside of the state for example, in California,
10 I'll bring that up specifically, because that's what
11 I'm thinking of, they build these basically ravine
12 landfills. They are one-to-one slopes, natural
13 slopes.

14 There's a process through the design
15 that you evaluate the conditions on the existing
16 site. You evaluate the geotechnical properties of
17 soil, slope, how much soil is there, all the -- the
18 geotechnical properties of the soil and the rock.
19 Take that information and you basically build on top
20 of it, and you analyze each component that you build
21 on top and find what is your weakest link in terms
22 of a slope stability assessment. And you do that.
23 And you do that over and over throughout all
24 different sections of the landfill. And you
25 evaluate the waste strength, you evaluate the liner

1 system strength, you evaluate the eMSE berm, you
2 evaluate the underlying soils and all of it
3 together. You evaluate that in intermittent steps
4 as the landfill's being built all the way through to
5 the final step.

6 To say that you can't build because
7 it's an existing steep slope is at least an
8 oversight. There's a very thorough process involved
9 in how the analysis, the design, and the final
10 layout of the landfill is completed. And all of
11 that gets submitted to DEP and they have experts
12 that review that information.

13 I understand you may feel that some of
14 the regulations that state or EPA, or federal
15 regulations, aren't protective enough, but Waste
16 Management complies with those regulations and the
17 intent of this design is, of course, to comply at a
18 minimum with those regulations. The thought and
19 studies behind that -- behind those regulations,
20 there's years' worth of data. And so, there has to
21 be a bar somewhere. We -- we have to reach that bar
22 at a minimum and that's what we do throughout the
23 permitting process. So to say that's not enough,
24 I'm not sure how we can necessarily address when
25 we're meeting all the existing regulations that --

1 and I understand this is -- this is a
2 forward-looking instance. This is for rezoning. We
3 don't have the detailed design work done yet.

4 MS. DINGLE: Okay. But now what I'm
5 asking -- and I think we're missing here and I don't
6 want to go too far, but you're talking about the
7 building or the design of the landfill slopes. Our
8 Plainfield Township Ordinance clearly states that in
9 Class A slope areas of 25 percent or greater,
10 basically solid waste disposal is prohibited. The
11 site as it currently exists, without any of your
12 landfill, has 25 percent slopes. So what I'm
13 saying -- I understand the landfill when you're
14 building it, and your berms, and everything else,
15 you cannot have greater than 25 percent. But right
16 now, the ordinance says anything greater than 25
17 percent prohibits solid waste development. So
18 that's what I'm asking, if you can't and don't get
19 this zoning amendment, or waiver exception, does
20 that reduce your design to the point where you
21 wouldn't have capacity? I mean, there's a lot of
22 slope on there. And the reason the Township has
23 implemented this ordinance is because of the
24 stability in those slopes. You can build an
25 engineering design on top of it, but these are

1 existing slopes. That's what I'm trying to look at,
2 the downgrading per sector is the Waltz Creek.

3 WASTE MANAGEMENT: Mm-hmm.

4 MS. DINGLE: But anyway, I just want
5 to make sure -- I understand you need greater than
6 25 percent slopes in your landfills and your berms.
7 This (indecipherable) and I also understand you're
8 going to come in and pretty much level everything,
9 build your landfill on the berms. So you're going
10 to get rid of the 25 percent slopes, is my
11 understanding how you're presenting it. The problem
12 is, our ordinance says no solid waste disposal on
13 those -- in those areas. So I'm -- it's -- it's a
14 pretty big ask.

15 WASTE MANAGEMENT: So looking at
16 the --

17 MR. KLEINTOP: Excuse me for a minute.

18 WASTE MANAGEMENT: -- the --

19 MR. KLEINTOP: The overlay district
20 rules --

21 MS. DINGLE: Yes.

22 MR. KLEINTOP: -- across every zoning
23 district --

24 MS. DINGLE: Yes.

25 MR. KLEINTOP: -- including this

1 particular use that you're proposing --

2 WASTE MANAGEMENT: So --

3 MR. KLEINTOP: -- that's why we're
4 emphasizing it. I mean, it does apply. I
5 understand that's why you're also asking for an
6 exemption. An exemption in the ordinance -- or in
7 the -- in what you have proposed.

8 MS. DINGLE: We're kinda saying why
9 isn't this going to the Zoning Hearing Board for you
10 to decide if you can get that exception before we
11 rezone it? There's no reason to rezone it if you
12 don't get that exception because this site would
13 probably not be suitable.

14 WASTE MANAGEMENT: But that's the
15 reason why we are requesting it now.

16 MS. DINGLE: No. But you're asking
17 for this -- but the Zoning Hearing Board hasn't
18 heard this. So, that's -- we can't approve that.
19 That's not going to be part of what you're asking
20 the Planning Commission or even the board. That
21 would have to go through the Zoning Board.

22 WASTE MANAGEMENT: So, there are two
23 ways to do it. You can go to the Zoning Hearing
24 Board and request a variance, meet all the
25 requirements for a variance, or you can request that

1 the ordinance be amended so that these regulations
2 not apply because -- for all the reasons that Scott
3 first and Dave second articulated that these aren't
4 appropriate for landfill usage. You could never
5 go -- when -- first, the amount of your steep slope
6 ordinance regulations apply to shouldn't be
7 applicable to steep slope -- to landfill uses
8 because, otherwise, one could never fill the
9 landfill.

10 MS. DINGLE: Well, again, I -- you can
11 build a landfill on flat area and still have your
12 greater than 25 percent in dyne. This is different.
13 You're trying to build it on a steeply sloped area.
14 I guess what I -- Dave, for you, and again, I'm --

15 WASTE MANAGEMENT: Sure.

16 MS. DINGLE: To amend an ordinance,
17 wouldn't that require board approval and going up
18 for pole review and --

19 WASTE MANAGEMENT: Yes, it would.

20 MS. DINGLE: So, that's --

21 WASTE MANAGEMENT: That's what this
22 is. That's what this is. To further amend your
23 zoning ordinance.

24 MS. DINGLE: But this is not a polling
25 review process where we've got amended ordinance

1 language. We haven't --

2 WASTE MANAGEMENT: Yes, it is and yes,
3 you do. You have an ordinance amendment -- draft
4 ordinance amendment before you.

5 MS. DINGLE: Where?

6 MR. SCHAFER: Right here.

7 WASTE MANAGEMENT: Terry's pointing to
8 it.

9 MS. DINGLE: Let me see it. So
10 this --

11 WASTE MANAGEMENT: And you've had it
12 since September.

13 MR. SCHAFER: Right.

14 MS. DINGLE: Were you aware of this?

15 MR. SCHAFER: I know that we had some
16 stuff --

17 MS. DINGLE: I know, but were we aware
18 that this was something we'd be voting on as well?

19 MR. SCHAFER: I knew there was a
20 potential, but I didn't look at that as the
21 primary -- the primary issue here at this time.

22 MS. DINGLE: All right.

23 MR. KLEINTOP: This entire piece of
24 property is -- is classic RSP slope.

25 WASTE MANAGEMENT: Terry, isn't it --

1 forgive me for asking a question that I don't know
2 the answer to this, law school first year, but
3 isn't -- couldn't the same be said for the property
4 that the existing landfill sits on? And the
5 Township did make it work.

6 MS. DINGLE: But you weren't
7 downgrading except for what's a high-quality stream
8 such as a creek. That is also -- these are
9 community groundwater and everything else. So, I
10 mean, again, it just -- it -- okay.

11 WASTE MANAGEMENT: Where the different
12 water is two different properties, but --

13 MS. DINGLE: Yes.

14 WASTE MANAGEMENT: -- Little Bushkill
15 was -- was -- we developed very close to Little
16 Bushkill and --

17 MS. DINGLE: Yes.

18 WASTE MANAGEMENT: -- we've had no
19 impact to the Little Bushkill Creek, to our
20 development over the whatever, 50 to 60 years, that
21 the site's been there.

22 MS. DINGLE: All right. So -- okay.
23 I was unaware that this was part of the process. So
24 that's -- and it wasn't really presented in any of
25 your presentations, that language. You never went

1 through the ordinance, you never explained what you
2 were asking for so -- I picked that up. I don't
3 know if it was clear to the rest of the committee
4 but --

5 WASTE MANAGEMENT: We did when we --
6 at the very first meeting, we provided an outline.

7 MS. DINGLE: So, I don't know. Is
8 that something we can just say we prefer to have --

9 MR. SCHAFER: It's a legal question,
10 but -- but more important is for us to make a
11 decision one way or the other on moving this to the
12 supervisors.

13 MR. LEVITS: I think that's what you
14 intended to do tonight.

15 MR. SCHAFER: Mm-hmm.

16 MS. DINGLE: Well, the rezoning I know
17 is that (indecipherable) from that? 'Cause to me,
18 that I would rather split up and send to the Zoning
19 Hearing Board.

20 MR. SCHAFER: Well, that can certainly
21 be your recommendation. Waste Management is here
22 requesting that you make a recommendation to the
23 Board of Supervisors tonight about the rezoning and
24 about the steep slopes.

25 WASTE MANAGEMENT: There's a --

1 there's another -- there's a second text amendment
2 as well.

3 WASTE MANAGEMENT: Right. So --

4 MR. GEISSINGER: Why don't you -- why
5 don't you run through for the Planning Commission so
6 they're absolutely clear on what you're looking for?

7 WASTE MANAGEMENT: So, I -- I --
8 obviously, the rezoning has been the focus and I
9 think appropriately so. The text amendment is
10 related to the ordination of the steep slope
11 requirements of applying the landfill uses in the
12 solid waste district, in simplest form.

13 The second text amendment, which we
14 haven't discussed tonight, would make all landfill
15 uses in the solid waste district biograde uses, but
16 now they are -- if they involve the receipt of less
17 than 100 tons per day they are (indecipherable). If
18 it's more than 100 tons per day, they are
19 conditional use. And we're suggesting that they be
20 converted to be all -- to be made all
21 (indecipherable) and one standard set of rules
22 apply. At the moment, there are 19 requirements
23 with (indecipherable) landfill uses, 23, so, four
24 additional for conditional uses. We're suggesting
25 that all 23 of those requirements apply to all

1 landfills.

2 MR. KLEINTOP: Could right now it be
3 considered a special exception or a conditional?

4 WASTE MANAGEMENT: It's a conditional
5 use.

6 MR. KLEINTOP: Okay.

7 WASTE MANAGEMENT: The last time they
8 had an expansion I think was in 2000 and I recall
9 the Board of Supervisors held conditional use
10 hearings at the middle school auditorium.

11 MR. KLEINTOP: I think the major point
12 here is, at this point in time, Plainfield Township
13 is in the driver's seat. And once they make a
14 decision to rezone, if that was the decision they
15 made, then they're not the driver's seat anymore.
16 Therefore, I think it's very, very important that
17 all the outstanding issues that need answers, and
18 there are many, that the Township knows what they
19 want and is prepared to enter into an illegal
20 document before they consider signing rezoning.
21 Otherwise, we're out in the wilderness. I mean, if
22 you rezone and don't have those items locked down,
23 Waste Management is just -- is just throwing us out
24 of the driver's seat and taking over. And that's a
25 major concern here. I think it needs to be

1 emphasized.

2 MR. LEVITS: Okay. Do you have
3 anything else you want to question us on?

4 WASTE MANAGEMENT: Comments, anything?
5 (No response).

6 MR. LEVITS: All right. So --

7 MR. KLEINTOP: I have a couple of
8 questions that I stated at the beginning 'cause --
9 could I try to get answers to.

10 WASTE MANAGEMENT: Go ahead. Fire
11 away.

12 MR. KLEINTOP: I'll make it quick.
13 350,000 annual tons, will 40 percent or more of that
14 tonnage comes from New Jersey? I'm just curious
15 because that's what the current status is. That's
16 what was stated is what you're roughly doing now.

17 WASTE MANAGEMENT: Yes. So, I think
18 Terry or (indecipherable) was the correct number you
19 threw out. We can do 2,750 tons a day --

20 MR. KLEINTOP: Right.

21 WASTE MANAGEMENT: -- a quarterly
22 average. We use 274 operating days, so that's
23 closer to 760,000 tons a year a facility can receive
24 by its permit. So under that sort of full volume
25 scenario, we were probably 60 percent in-state, 40

1 percent out-of-state waste coming into the facility.
2 That reduces down to about 80/20. So 80 percent
3 in-state under the 350,000 tons a year and 20
4 percent out-of-state. So we're still receiving some
5 volume from a 90-mile circular territory around the
6 facility.

7 MR. KLEINTOP: Would you estimate that
8 you're roughly at 20 percent of the 350?

9 WASTE MANAGEMENT: Call it that. I
10 mean, it's a recent change for us. We don't know
11 exactly where the numbers are going to kinda come in
12 on a longer-term basis. We're only in the third
13 month of this reduced volume scenario, so that's
14 about what it's looking to be.

15 MR. KLEINTOP: Okay. And your
16 employment breakdown and what you've provided, is
17 that the employment breakdown based on full capacity
18 or is that your current employment breakdown based
19 on 360,000 ton?

20 WASTE MANAGEMENT: Well, we're not
21 planning any staffing reduction during this
22 reduced-volume scenario, Terry, so the numbers are
23 the numbers.

24 MR. KLEINTOP: You're not?

25 WASTE MANAGEMENT: No.

1 MR. KLEINTOP: Okay. And then, the
2 last was, has -- has the DEP indicated that they are
3 willing to permit a second landfill and waters near
4 the Waltz Creek Watershed?

5 WASTE MANAGEMENT: Well, listen, we
6 talked to the department about this project. We
7 have had a couple of conversations with them. We're
8 getting to a point where we'll probably be having a
9 pre-application meeting with them to kick off the
10 DEP permitting process, but they were our first call
11 to sort of define whether this was considered a new
12 facility or an expansion. They are the ones that
13 concurred that it would be considered an expansion.
14 Because it's a contiguous property and it would --
15 the new location uses the same operating permit
16 number that the current landfill location uses, so
17 that's why it's an expansion.

18 MS. DINGLE: Understood, but --

19 WASTE MANAGEMENT: Shared
20 infrastructure. What's that?

21 MS. DINGLE: But that's with the
22 Division of Solid Waste. What we're asking is, have
23 you coordinated with the Water Waste Division
24 regarding permitting --

25 WASTE MANAGEMENT: Well, we'll be

1 required to, Robin through --

2 MS. DINGLE: No, I know, but --

3 WASTE MANAGEMENT: -- the permitting
4 process.

5 MS. DINGLE: -- that's what he's
6 asking. Have you reached out to them to even see if
7 this is a permittable activity --

8 WASTE MANAGEMENT: No, because I think
9 based on our prior operations, we know we can
10 operate while within the limit of exceptional value
11 and high quality watershed. We have a lot of
12 operating history and I think the department would
13 have confidence in us developing a solid disposal
14 area next to the current one.

15 MS. DINGLE: Yes, but I was just
16 trying to require the divisions to --

17 WASTE MANAGEMENT: Right. You know,
18 to clarify, we're utilizing the same infrastructure,
19 so the leachate treatment aspect of the new disposal
20 area would go through the existing leachate
21 treatment plan and the existing outfall
22 (indecipherable). So the only thing that would be
23 new to Waltz Creek would be the storm water run off
24 from the designed storm water basins and the outfall
25 associated with those basins.

1 MS. DINGLE: Well, the
2 (indecipherable).

3 WASTE MANAGEMENT: Yes, we'll -- we're
4 right up against them now as it is, Robin. That's
5 one of the reasons why we had to build a MSE
6 wall-type construction for one of our basins along
7 the Little Bushkill Watershed where they had waters.

8 MR. LEVITS: Okay. I guess time now
9 is to make a decision as to what we want to do, if
10 we want to make a motion. I'd like to hear some
11 quick thoughts or somebody wants to make a motion.
12 I'll make a motion here, but I'm going to need some
13 help I think ultimately. What do you guys want to
14 do? Ready to give it a shot?

15 MS. DINGLE: I'm not sure how we're
16 going to go -- I guess I'm not really prepared to
17 address that. So I don't know -- I mean, to me,
18 that seems like another whole question beside the
19 rezoning. But anyways, that's -- or how to work it
20 in. Like I said, I think it should go to the Zoning
21 Hearing Board. I'm not sure what the rest of the
22 Committee feels on that, so can I get some feedback,
23 Terry, Glenn, Allen? What are your feelings on that
24 in terms of how to address the zoning amendments,
25 not just the rezoning issue?

1 MR. LEVITS: Any thoughts? Dave, do
2 you have a thought?

3 WASTE MANAGEMENT: Well, I mean, Waste
4 Management's presented to you at the first
5 hearing -- clearly they went through two out of
6 three requests. First request is that you rezone
7 211 acres of land, which is currently contiguous to
8 the solid waste district. The second request is
9 that the zoning ordinance be amended that within the
10 solid waste district, this is no longer a
11 conditional use, which of course, has to go before
12 the Board of Supervisors for zoning hearing.

13 Again, conditional use is the only
14 time in Pennsylvania law where a zoning matter
15 actually comes before the governing body, whether it
16 be a city council, borough council, or board.
17 They're asking that the use be determined to be
18 permitted as opposed to a conditional use. That's
19 the second amendment.

20 And the third amendment is that
21 they're asking that the landfill be exempt from the
22 steep slope overlay district from where it sits.
23 Those are the three ordinances, frankly, that Waste
24 Management has submitted to the Township. Those are
25 the three ordinances that were part of the packet

1 and that's what they're asking you to review.

2 I don't want to speak for Waste
3 Management, I don't know if you get to the second
4 two -- well, actually, you should probably consider
5 each one, whether or not you make a motion in favor
6 or against the rezoning, you probably should, as
7 requested by Waste Management, make a motion on all
8 three individually.

9 MR. GEISSINGER: What was the first
10 one again?

11 WASTE MANAGEMENT: Well, the first one
12 is the request to rezone 211 acres of land, which
13 we've seen on the map which is adjacent to the
14 current solid waste district. The second ordinance
15 that they submitted is the zoning ordinance be
16 amended such that this is no longer a conditional
17 use, but a permitted use or use by right. The third
18 ordinance that they --

19 MS. DINGLE: What use, solid waste?

20 WASTE MANAGEMENT: Yes. Landfill. A
21 landfill.

22 MS. DINGLE: A landfill in a solid
23 waste zone.

24 WASTE MANAGEMENT: In the solid waste
25 district.

1 MS. DINGLE: Correct.

2 WASTE MANAGEMENT: Right.

3 Currently --

4 MS. DINGLE: So that wouldn't apply
5 unless there's rezoning?

6 WASTE MANAGEMENT: In the new
7 district, that is correct, it would not. And then
8 in the third, is they're asking that you exempt the
9 landfill from the steep slope overlay district as
10 you heard discussed tonight. So those are the three
11 amendments that are before you that they submitted
12 to the Township and were part of their packet.

13 MR. LEVITS: Okay. I'll kick it off
14 here. Item one, the rezoning of 211 acres, I'll
15 make a motion that we recommend to the
16 supervisors -- everybody remember, this is only a
17 recommendation, the supervisors can do what they
18 want -- that we do not grant the rezoning. Some of
19 the areas that were covered was -- one of the big
20 areas is health issue, water issue. It doesn't line
21 up with our comprehensive plan.

22 Does anybody want to name a few other
23 things?

24 MR. KLEINTOP: Well, they're asking
25 for 211, of the 211, 78 of it is going to identify

1 as a buffer at the current time. (Indecipherable).
2 So that makes it more difficult, because if it's
3 identified as a buffers then why would you -- why
4 would you want to include it as part of rezoning --

5 MR. GEISSINGER: Agreed.

6 MR. KLEINTOP: -- for solid waste to
7 begin with. I mean, the real area that they want
8 rezoned -- yes, they state 211, but they really are
9 indicating they want to utilize 133 of it. So if
10 you want it -- if you want it rezoned, then I think
11 you should be asking to rezone 133. That's just my
12 own personal opinion.

13 MR. LEVITS: Rezone how much?

14 MR. KLEINTOP: What?

15 MR. GEISSINGER: 133.

16 MR. LEVITS: What was the total?

17 MR. KLEINTOP: 211.

18 MR. LEVITS: 211. No, he's saying
19 133.

20 MR. GEISSINGER: Right. He's saying
21 133. But --

22 MR. KLEINTOP: See, because we're
23 identifying the other 78 acres as part of the
24 zoning, so why include what you're identifying as a
25 buffer?

1 WASTE MANAGEMENT: Terry, to clarify,
2 I think we've talked about this several times,
3 right?

4 MR. GEISSINGER: Yes.

5 WASTE MANAGEMENT: So, there's 325
6 acres in total we're purchasing. So --

7 MR. KLEINTOP: Correct.

8 WASTE MANAGEMENT: So there's over a
9 hundred acres in buffer that's not being considered
10 in that 211 acre zoning request. 211 acres was
11 established based on the property boundaries to make
12 up the footprint then, so that's where you're coming
13 up with that number. So we followed the property
14 boundaries to the described properties. So, the
15 balance of the difference between the 211 and
16 81-acre disposal area is all support digitally
17 outlaid for what we outline in the second meeting
18 where it includes storm water basin, material lay
19 down and support, constructing activities, access to
20 wells for taking reading samples.

21 We knew coming into this that we
22 couldn't carve a property in half and ask to rezone
23 half of a parcel. It had to be a full parcel. So
24 we followed the parcel lines and that's why you see
25 the description 36 total parcel. I don't know how

1 many are in the 211, but it's probably what, 15 of
2 them?

3 WASTE MANAGEMENT: Eighteen. Okay.
4 So that's how we came to the 211.

5 MR. LEVITS: Should we be looking at
6 the whole 211, Terry? I mean, because the existing
7 facility was expanded multiple times over the
8 decades.

9 MR. KLEINTOP: Well, that's what
10 I'm -- and that's what I'm trying to draw caution
11 to. In other words, they're looking for 133 for the
12 next 20 years, but if we allow the next 78 to be
13 included, then that gives them the opportunity for
14 requesting expansion at the end of 20 --

15 MR. LEVITS: That's why --

16 WASTE MANAGEMENT: Let me clarify it
17 up, guys. I mean, if we're rezoning 211, there's no
18 reason for us to come in and ask for 81 now and for
19 20 more later. We designed that footprint based on
20 wetlands, setbacks, other criteria we need to meet
21 so we can maximize that footprint on that property
22 in that 211 acre comfort. So, there is not chance
23 to expand beyond the 81 acres in that 211-acre
24 rezoning request. We just followed the property
25 lines and we followed setback requirements for joint

1 property owner dwellings, water supply wells,
2 wetlands, and I'm sure I'm missing a couple other
3 ones, but that's where we established the disposal
4 footprint.

5 MS. DINGLE: It's my understanding --
6 Dave, correct me if I'm wrong, but if this were to
7 (indecipherable) planning development, they would
8 designate -- when they come in to go through the
9 plans -- detailed plans, if this is rezoned --

10 RESIDENT: Use a mic.

11 MS. DINGLE: -- we could -- we could
12 then indicate -- regarding the buffer area, if it is
13 rezoned, the entire outland parcel and they're
14 saying they're not going to use it, then they're
15 considering it a buffer area, couldn't you during
16 the planning process, if it moves forward, we could
17 then make a condition that those areas be preserved.
18 Because we've talked about that, making it a
19 conservation area.

20 MR. BACKENSTOE: That's certainly an
21 issue which could be addressed at land development,
22 yes. If this were rezoned -- I mean, as I
23 understand it, they're looking for rezoning 211
24 acres and, as I understand, 81 acres is the disposal
25 area and 133 is supposed to support --

1 infrastructure support.

2 MR. KLEINTOP: No, David. Fifty two
3 is the support. He wants a total of 52 as support
4 and then the other 78 is identified as the maximum
5 buffer.

6 MR. BACKENSTOE: Okay. Okay.

7 MR. LEVITS: So what are we saying?
8 What's our thoughts? Terry, what's our thoughts?

9 MR. KLEINTOP: Well, my thought -- my
10 thoughts are that needs to be dealt with. Now I --
11 you know, I'm not in a position to not rezone 211
12 acres -- to recommend rezoning 211 acres unless I
13 have a way of protecting it when -- in other words,
14 I want that 72, which is identified as a buffer,
15 included with the balance and probably attempt to
16 cover -- to protect it permanently with a
17 conservation easement at some point.

18 MR. LEVITS: Are you in a position to
19 deny the rezoning of 211?

20 MR. BACKENSTOE: Well, I'm trying to
21 understand Terry's question. I mean, I think what
22 you're saying is -- the reverse would be, you may be
23 in favor of rezoning 211 acres if this 72-acre
24 buffer area were reserved as conservation easement.

25 MR. KLEINTOP: Right.

1 MR. BACKENSTOE: As opposed to just
2 limited by a contract.

3 MR. KLEINTOP: Right. So if 78 --

4 MR. BACKENSTOE: I'm just trying to
5 articulate --

6 MR. KLEINTOP: No --

7 MR. BACKENSTOE: -- what I think
8 you're saying.

9 MR. KLEINTOP: -- you're right.

10 MR. BACKENSTOE: Okay.

11 MR. KLEINTOP: Seventy-eight -- the
12 way you said it with the condition that the 78,
13 which is identified as a buffer, would be included
14 with the balance and protected by a conservation
15 easement.

16 MR. BACKENSTOE: Well, I mean, that's
17 a motion that you could make, Terry.

18 (Someone asks a question, but it's
19 indecipherable.)

20 MR. KLEINTOP: No, I want that.

21 MS. DINGLE: Well, that's what -- do
22 you want to rezone 211 acres or 133 acres?

23 MR. KLEINTOP: Well, at this time, I
24 don't want to rezone anything.

25 MS. DINGLE: Right. That's what we're

1 trying to get at. He doesn't want to rezone.

2 MR. LEVITS: He doesn't want to
3 rezone.

4 MR. KLEINTOP: I just want it clearly
5 understood if and when --

6 MS. DINGLE: Right.

7 MR. KLEINTOP: -- that would be the
8 direction I was going.

9 MS. DINGLE: I think there's another
10 way to address that maybe. It's just a zoning
11 amendment. The conditional use not -- maintain that
12 in buffer areas or something.

13 MR. LEVITS: All right. So I'm going
14 to go back and restate, I'll make the motion to
15 deny -- or recommend to the Rezoning Board to deny
16 the rezoning for the 211 acres, right, that's what
17 we're looking at? Because of the -- not included in
18 its entirety, but the health issues, the -- doesn't
19 line up with the comprehensive plan, there's two
20 many people too close, the density in population.
21 So we got the health risk plan and at the request of
22 the majority of the residents in the committee that
23 we know of. That's my motion.

24 MS. DINGLE: Make sure we move that --
25 and also that the financial --

1 RESIDENT: Ms. Dingle, we can't --

2 MS. DINGLE: Sorry. And also that the
3 financial report indicates that we have until 2038
4 to resolve this and to meet the 238 million loss
5 that we're concerned about. So there's plenty of
6 time to recognize and adjust accordingly.

7 MR. KLEINTOP: I think we have -- I
8 think we potentially have until 2042. I mean, I
9 know the Susquehanna report says 2038, but if I look
10 over the other documents that were submitted, it
11 appears that there's a possibility of 2042 and the
12 Susquehanna report is made from nothing much.
13 Everything that we fix today in Plainfield Township
14 is a plateau and nothing positive will ever happen.

15 MR. LEVITS: All right.

16 MR. KLEINTOP: I think --

17 MR. LEVITS: But right now I'm looking
18 at not recommending rezoning the 211 acres for some
19 of the items I mentioned. Robin, you mentioned --

20 MS. DINGLE: I would say public
21 opinion. That the majority are not in favor of it.
22 And then as you said, human and ecological --

23 RESIDENT: Use the mic.

24 MS. DINGLE: Sorry. Sorry. Public
25 support is against human and ecological risk. Then

1 we talked about it's not compatible with the
2 comprehensive plan and that the financial report
3 indicated that the host funds would support the
4 community 'til 2038 and that's without any future
5 growth. So again, recognizing the Township has
6 plenty of time to adjust and back build that 2.2
7 million revenue.

8 MR. LEVITS: Okay. Anything else we
9 want to add to this, the hearing thing?

10 (No response.)

11 MR. LEVITS: Do I have a second?

12 MS. DINGLE: I'll second.

13 MR. LEVITS: Second by Robin. Any
14 discussion?

15 (No response.)

16 MR. LEVITS: All right. I'm open to
17 public comment. I just want to say this much, in
18 the prior meetings I've granted you a lot of time to
19 speak, way more than it's normal, but this is such
20 an important project. But tonight, we're just on
21 this motion and if you want to say anything, just
22 come up, state your name, and say you agree or
23 disagree with us. I mean, that's what I'm asking of
24 you. So if there is anybody that would like to come
25 up and say something -- okay. First lady in the

1 back.

2 MS. PERIN: I don't need to because
3 I'm pretty loud, but I can if you want me to.

4 MR. LEVITS: I appreciate it.

5 MS. PERIN: Good evening. My name is
6 Lisa Perin. Many of you already know me. I live on
7 Grand Central Road. I probably live -- well, I'm
8 not going to say probably, my well is closer to the
9 existing burial site than any other resident in any
10 of the communities you've mentioned. It's also
11 closer to the original landfill that they refer to
12 as the parent site than any other resident in any of
13 your communities. Where I was sitting back there,
14 when I open my front door, if that were my front
15 door, that movie screen in the back of the stage is
16 leachate tanks. My view from my front door, that's
17 how close I am.

18 You talked about water, I want to talk
19 about the water. I'll -- full disclosure, I'll tell
20 you how old I am. I'll be 52 next month. Forty-two
21 of my 52 years I've lived in this home. I'm
22 healthy, my children are healthy, we have no
23 problems whatsoever, from my lips to God's ears. I
24 drink the water, shower in the water, I cooked with
25 the water for 42 of my 52 years on this earth. I'm

1 so confident in my well water in the home I live in
2 and the property that I'm on that I'm now raising my
3 children there.

4 You spoke about having the water
5 tested. I'm not sure if all of you are aware, Scott
6 mentioned it, in full disclosure, Scott is my
7 cousin, I have no current financial affiliation with
8 the landfill. I'm not here to speak in support or
9 against them. I'm just telling you my experience as
10 probably the closest neighbor to the landfill.

11 My water gets tested every three
12 months by the landfill. It's required. I
13 voluntarily allow them onto my property to test my
14 well water. By the way, you speak about slopes, my
15 well is directly downhill from the current and
16 original burial site. Scott, correct me if I'm
17 wrong, the original burial from 60 to 70 years ago
18 is not far from where you currently are now outside
19 my front door uphill.

20 WASTE MANAGEMENT: Not very far.

21 MS. PERIN: It's uphill. The original
22 technology 60 to 70 years ago when my grandfather
23 started the landfill and started -- and started
24 burying it was not nearly what it is now, to collect
25 the leachate and the runoff. And yet, my well water

1 is cleaner than probably the public water in town,
2 and remains that way for the duration of my life,
3 and is tested every three months by the landfill.

4 Still to this day, the only thing
5 you'll maybe find in my water is runoff from the
6 fertilizers from my fields, which aren't even sloped
7 as high as the landfill across the street from me.
8 So when you speak about the water quality -- plus I
9 have a pond on my property that also runs down
10 through a water system and eventually runs down to
11 Little Bushkill. Also clean water.

12 So just be sure, when you're talking
13 about the environmental and health studies, I just
14 wanted to mention I've lived on this property almost
15 my entire life without the health effects that you
16 might be referring and I'm only one person in my
17 family and my water is spotless. And just so you
18 know, they test the water, I believe, correct me if
19 I'm wrong guys, of every property that is adjacent
20 to their landfill. So they would probably already
21 be able to provide you with the water testing for
22 decades, in my case, for my property back showing
23 you the cleanliness of it.

24 And again, remember that is also
25 adjacent to the original site that didn't even have

1 the technology for encapsulation and leachate
2 collection that the current landfill has. So you're
3 talking about the longevity of the landfill possibly
4 at some point failing, yet 60 to 70-year-old
5 technology -- let's face it, at the time my
6 grandfather was an excavator and the townships came
7 to him and said we need to bury garbage. He threw
8 it in a hole and I still have clean water. So feel
9 free to ask them for the water testing that they are
10 already currently doing as a good neighbor to the
11 properties around them.

12 MR. LEVITS: Okay. Thank you.

13 MS. PERIN: Thank you.

14 MR. LEVITS: Sir. Again, let's keep
15 them as short as possible please because we've been
16 through a lot of public comment.

17 RESIDENT: I have respect for -- I
18 have a loud voice but --

19 MR. LEVITS: They have an extra one
20 right there.

21 MR. RENNA: Thank you. With respect
22 Mr. Chairman, I have put some time and thought into
23 your thought. This is generational thing.

24 MR. LEVITS: I'm sorry. Can you just
25 say your name for the record?

1 MR. RENNA: My name is J.R. Renna and
2 I live in Plainfield Township. I will keep this
3 brief. How will Slate Belt ever survive without
4 Waste Management? Now I know for a fact that we're
5 not the first residents to wonder about this topic
6 of how our community will survive. Who was at the
7 center of this question last time around? It's the
8 Slate Belt slate quarries.

9 As asphalt shingles and economic
10 downturn threaten the very livelihood and tax
11 revenue of our community, I bet folks really
12 struggle to see how they could survive without the
13 quarries powering our economy. But here we are.
14 And we are here because of strong entrepreneur
15 spirit and hard work of generations that came before
16 us. And I believe that spirit still lives in the
17 Slate Belt.

18 Just on my way here tonight, I drove
19 past the old X-Ray company building across the
20 street from the dump. It has a fresh coat of paint,
21 new doors, and reinvestment into a business that
22 will drive tax revenue into the Township. I drove
23 past the old Wind Gap Vac & Sew, which has been
24 transformed into Stryker Farms bringing local
25 produce to bear along with their tax revenue. The

1 Gap Theater is welcoming movie goers again bringing
2 with it not only tax revenue, but culture and
3 community. Starbucks joined in tax revenue. Wawa
4 proposal, tax revenue. Another large business
5 development between Constitution and Pennsylvania
6 Avenues, tax revenue.

7 These companies bring with them not
8 just revenue, but opportunities to partner with
9 nonprofits' community interests. Dine and donate
10 events, contributions to pool pals, YMCA, and GWYA
11 and more, all without the stink of the trash that
12 comes with the dump.

13 (Crowd applauds.)

14 The SACS financial report -- thank
15 you. The SACS financial report came back and
16 validated what many of us in the community and the
17 public have stated, the trust is strong. And even
18 with some unrealistically high estimates of
19 inflation and expenses and no accounting for all of
20 that new revenue streams that I just mentioned, we
21 have a long runway to detox from Waste Management
22 through at least 2038. It's 2025 now, well over a
23 decade to plan and adjust. No doubt local officials
24 in the quarry area did not have the benefit of such
25 a robust and financial forecast to plan off of. We

1 can do this.

2 The Slate Belt Comprehensive Plan has
3 gone through several revisions over the years, but
4 one thing has remained constant, the community
5 desires to preserve the rural and forested land that
6 makes our area a great place to live. This
7 inflection point before us today represents an
8 opportunity to respect and support the plan and the
9 residents who formed it.

10 To recommend rezoning the area for
11 expansion crumbles up the wishes several generations
12 of our community made and as it's thrown away,
13 creates a second mound of stinking trash just as
14 high as the first, right next to where our kids play
15 at the Green and White Fields.

16 Many years ago, the Perin family sold
17 the land and the GBS business to Waste Management
18 and now I've come to understand the principal owners
19 of Slate Springs Farms are poised to cash in again.
20 Last meeting, Jane effectively outlined with a
21 helpful map how farms have been strategically
22 snapped up by the Perin family in Slate Springs
23 Farms to be offered up again to Waste Management.
24 And with some of the same family members also
25 employed by Waste Management, something about that

1 deal just doesn't seem entirely on the up and up.
2 It means everybody is entitled to a side hustle, I
3 guess. If this proceeds, Waste Management will
4 supply the case for the deal, but make no mistake,
5 it is our community who pays the price. But I'm
6 also a realist and I realize the overwhelming volume
7 of residents that y'all have mentioned in opposition
8 to the plan may still end up losing out in a 3 to 2
9 vote.

10 And so I bring to the Supervisors this
11 charge tonight. If rezoning to double up the dump
12 gets approved resulting in so much total landfill
13 acreage it would eclipse the entire borough of Pen
14 Argyl, MAKE THEM PAY! If Waste Management gets to
15 continue to extract their millions of profits by
16 piling garbage in our backyard for another few
17 decades, MAKE THEM PAY!

18 Rezoning is just the first step in
19 this process. In previous meetings, Waste
20 Management has been firm on their unwillingness to
21 negotiate some of the terms of those current
22 agreements. Specifically, those that give them the
23 most leverage over our township. If the Township
24 Supervisors take our community to a place we do not
25 wish to go, you gotta make them pay. The current

1 terms are not even close to adequate to reimburse us
2 for the environmental health and quality of life
3 issues we currently endure.

4 And I will end with this, if Waste
5 Management is forced to pay nothing, we'll repay the
6 loss of life. Empirical data showed at previous
7 meetings shows we have a cancer cluster in our area.
8 Previous residents have shared how this weighs on
9 the minds of their doctors and influences their care
10 recommendations already. Waste Management
11 representatives tonight have even concluded that
12 PFAS is an area of emerging concern. New
13 information comes out all the time. So I agree with
14 Chairman Levits, Mr. Kleintop, Ms. Dingle that there
15 are significant health concerns, and we have yet to
16 hear Waste Management address these concerns. They
17 won't because it's not profitable to them.
18 Expanding the dump returns more acres of trash and
19 the liners that separate it from our ground water.
20 Who knows what's going through the air. I love that
21 you have a healthy well. So happy for you. What
22 about the stuff that happens through the air? We
23 need more information.

24 MS. PERIN: Still healthy as a horse.

25 MR. RENNA: Even with the best

1 regulations and planning, accidents with terrible
2 consequences can and do happen as we've seen with
3 oil spills in the past. Or go back and look at how
4 things played out in the Love Canal in New York
5 which was built on --

6 MR. LEVITS: Mr. Renna, five minutes.
7 You got your five minutes.

8 MR. RENNA: Thank you.

9 MR. LEVITS: Okay.

10 MR. RENNA: Granted, we may not be
11 able to make a cost-effective relationship between
12 the dump and cancer, but the real question is, do
13 the Supervisors want to take the chance, a chance on
14 our health, a chance on the health of our children,
15 a chance on how their --

16 MR. LEVITS: Mr. Renna.

17 MR. RENNA: -- names will end up
18 looking --

19 MR. LEVITS: Mr. Renna.

20 MR. RENNA: -- in the face of history?

21 MR. LEVITS: Mr. Renna, I don't want
22 to sound rude, but I've granted this in excess for
23 the prior meetings, I'm not granting this tonight.
24 Okay. Thank you. Is there anyone --

25 MS. PERIN: Excuse me --

1 MR. LEVITS: No.

2 MS. PERIN: I really need to clarify
3 one item 'cause I want to make sure that you all
4 understand, for my sake and for Scott's because he's
5 a parent too, it is not the entire Perin family.
6 And if I hear one more person tell me that the Perin
7 family is cashing in by trying to get Slate Springs
8 Farm Land rezoned for a landfill, I have another 20
9 million dollars. It is not me, it is not Scott, it
10 is not any other member of the Perin family except
11 Gary. So if you could all stop saying The Perin
12 Family, it's one Perin and it's not us.

13 MR. RENNA: I'm sorry. Just --

14 MR. LEVITS: All right. All right
15 people. Enough. Enough. If this is going to be
16 the demeanor of public comment, I'll consult with my
17 attorney of what we can do to stop that behavior.
18 It's not -- it's not acceptable. It's not
19 acceptable. Sir, please keep it short.

20 MR. MILLER: I will. Real short. My
21 name is Wayne Miller, a Plainfield Township
22 resident. I just have to take a little umbrage with
23 what Mr. Shafer said in his public comment. He
24 mentioned that he saw some signatures on some
25 papers. Well, I was one of those persons that took

1 those signatures to the Township office. I took
2 about 20 signatures. It took me about an hour to
3 gather those 20 signatures.

4 Basically, on my street and maybe
5 around the block or two, and I did meet with one
6 couple in the morning the next morning. They all
7 had a good understanding of what they were signing,
8 okay. So I can -- you can reach out to those
9 people. And I explained to them the pros and cons
10 and they were fully aware of what they signed. So I
11 was about 20 percent of your 99 signatures. I had
12 about 20 of them in about an hour's time. And I --
13 I'm more than welcome to go and get about another
14 100 if I have to. But I just wanted to make that
15 clear. Thank you.

16 MR. LEVITS: All right. Thank you.
17 Millie. Millie, please keep it short.

18 MS. BEAHN: Real short. Real short.
19 Can you hear me alright? I'm Millie Beahn and I
20 live in Plainfield Township.

21 RESIDENT: Use the microphone.

22 MS. BEAHN: Can you hear me now?
23 Okay. I'm Millie Beahn and I live in Plainfield
24 Township. I come to about 99 percent of all these
25 meetings for various reasons, different times. I'm

1 100 percent behind you denying this rezoning at any
2 part whatsoever based on the liability and the
3 health of our Township and also Pen Argyl and Wind
4 Gap. It's our community we have to save. Thank
5 you.

6 MR. LEVITS: Okay. Sir.

7 MR. REINHART: Good evening everyone.
8 My name is John Reinhart and I'm currently a
9 resident of Pen Argyl and a lifelong resident of
10 Slate Belt. I'm a retired educator having served as
11 the superintendent of the schools in both Bangor and
12 Easton Schools Districts. I spent about 30 years as
13 both an elected and appointed public official in
14 Slate Belt and I come to you with great respect to
15 the responsibility that each of you hold.

16 In addition to the responsibilities
17 that I mentioned, I'm a founding board member of the
18 Slate Belt Heritage Center, President of Safe Haven
19 Welsh Society. During my tenure as superintendent
20 of schools in Bangor, I was appointed by the county
21 council to represent Slate Belt on an exploratory
22 effort to create a Lehigh Valley Board of Health. I
23 only mentioned those things in the past because I
24 want you to understand how sincere I am in my
25 concerns about the request by Waste Management to

1 rezone. And I want you to know that they come from
2 a point of a lifetime devoted to thinking and
3 caring, if you will, about the communities in Slate
4 Belt.

5 I spoke out about health concerns
6 surrounding what appears to be the need of others to
7 dump their trash and waste in our part of the
8 county. We've all been enduring living with the
9 waste of slate industries, stump grinding, human
10 waste, pellets, fertilizer, mountains of tires, a
11 proposed waste pellet plant, and now another
12 expansion of the landfill.

13 Not long ago, the local municipality
14 had the audacity to seek permission to dump their
15 waste on Plainfield Township property. How does
16 that happen? Where is the outrage I guess is my
17 question. Well, I believe the outrage is here but
18 it's not organized. And so tonight I'm here to just
19 offer a few comments to you. If I run over time,
20 please stop me and I'll leave.

21 In the past, I've been asking about
22 the possible health risk that all of us have been
23 exposed to related to the history of waste in our
24 part of the county. Has any municipality, Waste
25 Management or the Green Knights considered finding a

1 health survey to see if the health issues of those
2 of us who live within 10 miles of the landfill and
3 other waste sites might yield reasons for further
4 studying? This is where I think a Lehigh Valley
5 Board of Health would be a great resource for our
6 region. But I see that money has been allocated for
7 paint, fixing up the facade to local business, and
8 I'm all in favor of that, but is there some way that
9 we can fund the study to see if we're healthy and if
10 our health is the same as it is elsewhere given the
11 nature of our community and our past history.

12 We exist between two great
13 organizations. The Two Rivers Health and Wellness
14 Foundation in Easton and East Stroudsburg University
15 Public Health Program and I do believe that both of
16 those institutions would help us to try and develop
17 and administer a survey -- a health survey for our
18 residence in the area.

19 I ask the question, how do we know
20 that our soils, groundwater, and air are not
21 negatively impacted by the collection of trash and
22 residual waste over the years? I don't ever recall
23 seeing a long-term study of data which indicates
24 that our water, and our air, and our soils are clean
25 of the kinds of things that we would -- that would

1 harm us. Now if I've missed that, then that's my
2 fault, but I don't know that that's ever happened
3 before. Is there some place and some agency, or
4 some group who could gather that information
5 together and ensure all of us that we live in a
6 healthy, safe environment in spite of all of the
7 residue that's left from all of the industries and
8 the landfill?

9 We now need to ask about in a
10 conversation --

11 MR. LEVITS: Mr. Reinhart.

12 MR. REINHART: -- we need to ask about
13 the Keller Farm.

14 MR. LEVITS: Mr. Reinhart, we're at
15 five minutes already and --

16 MR. REINHART: Can I just put -- put a
17 note in about the Keller Farm?

18 MR. LEVITS: Well, I would rather you
19 just tell us whether you agree with -- remember this
20 motion isn't about any of the issues that you are
21 discussing. This motion is about rezoning. Do you
22 agree or disagree with the -- the zone --

23 MR. REINHART: Okay.

24 MR. LEVITS: -- the motion --

25 MR. REINHART: Given --

1 MR. LEVITS: -- and the second --

2 MR. REINHART: Given the issues that I
3 spoke about and given the significance of the
4 history of the area in which we're looking to
5 expand, I would really ask for you to delay a
6 decision or reject the request.

7 MR. LEVITS: Okay.

8 MR. REINHART: All right?

9 MR. LEVITS: All right.

10 MR. REINHART: Thank you.

11 MR. LEVITS: Thank you. Remember,
12 right now we're discussing a motion about denying
13 the rezoning request. We're not into the other
14 details. Again, we've had a lot of time to discuss
15 that at prior meetings. So, again, we're only a
16 recommendation. It goes to the Board of
17 Supervisors, you can certainly represent -- I
18 encourage you to represent your positions to the
19 Board of Supervisors when it's on their agenda. Is
20 there anybody else in regards -- who would like to
21 say something in regards to this motion?

22 (Resident raises hand.)

23 MR. LEVITS: I'll get you next.

24 MR. HURATIAK: Thank you. Justin
25 Huratiak. So, I'd like for you to recommend -- do

1 not recommend this for a zoning change and that's
2 based on a couple of facts. One, the report that
3 came out shows a 60 percent increase in your budget
4 up until 2038. I think that's unrealistic and
5 therefore not accurate for a national report that
6 you're basing your decision on. Second, I think we
7 heard a lot about the spot zoning and the -- the
8 effects of what this looks like, and I'd like to say
9 that, you know, personally, I closed on the
10 remaining portion of a portfolio of 4.5 million
11 dollars -- nowhere near the 45 million that you paid
12 for this property, but it abuts the properties that
13 we're talking about here, now I own 150 acres in
14 Plainfield Township.

15 So I'm proposing that -- I'm going to
16 submit an application to transfer my property to
17 solid waste and I will then take everyone's garbage
18 for free and split the difference with you. I'll
19 even go 80/20 because my property is going to be
20 worthless now. And my 70 million dollar job that I
21 got approved is going to stare at another slate
22 mountain -- or garbage mountains, not slate and our
23 area's now going to just be known for the next
24 30-plus years for what it's been known as and that's
25 just the dumping grounds.

1 Again, that's what I propose. I know
2 our lawsuit for smell didn't do any good. You know,
3 as DEP didn't back us up for smell and residents had
4 to take class action lawsuits. Plainfield Township
5 didn't back us up for smell. They left it for us to
6 deal with. But I did recommend to the Supervisors
7 of Washington Township that we file suit against
8 Plainfield and against Waste Management to file a
9 junction to stop this rezoning.

10 MR. LEVITS: Kelli.

11 MS. GRIM: I'll be very short. Don't
12 need the microphone and I live in Plainfield
13 Township. My name is Kelli Grim. Thank you for
14 your thoughtful input. I've been a Planning
15 Commissioner, and I've been elected.
16 (Indecipherable) and I've been where you are. I
17 just want to say that the only thing I disagree with
18 is the financial part. (Indecipherable) it doesn't
19 matter. There are motions that are 10 years old
20 that have not been started on the planning
21 committee, but definitely this is not
22 (indecipherable) in any way shape or form. You
23 know, (indecipherable) make it happen. It's all
24 about the Benjamins. You know, it's really nothing
25 more than that, but I appreciate that what you're

1 recommending is denial when (indecipherable) as
2 residents is trust in those that were elected to do
3 the right thing and I've been (indecipherable) have
4 much confidence yet on what they're all
5 (indecipherable) but thank you for all the hard work
6 that I know you did on (indecipherable).

7 MR. LEVITS: Okay. Thank you.
8 Anybody else on this particular motion? Sir.
9 Again, please stick to the motion.

10 MR. LILLY: I received this in the
11 mail --

12 MR. LEVITS: Your name please.

13 MR. LILLY: My name is Mike Lilly. I
14 live on Broad Street and from my bedroom window or
15 my backyard, I can literally watch machinery working
16 on the other side of the quarry, which is, I
17 believe, connected to this area that we're talking
18 about. Living there for 13 years, I can tell you
19 that the smell from that waste dump was pretty
20 horrible on some days. I don't look forward to
21 going through that again. It's been good the last
22 couple of years. I think it's because you've been
23 covering it over probably.

24 I believe it's Waste Management who's
25 been tearing down those hills of the old slate

1 mountains and chopping it up. I was told that's
2 what you're covering it with, I don't know if that's
3 true or not, but regardless, that's how close I am.
4 I can see this area.

5 According to the thing I received from
6 Waste Management, Pen Argyl receives -- in 2024, Pen
7 Argyl received \$713,340. That's for 1,321
8 households for garbage pickup. That amounts to \$540
9 per household per year. Wind Gap came to exactly
10 the same number, \$540 per household per year. And
11 if I multiply that by 10 years, assuming that I was
12 in my house 10 years from now, that would be \$5,400.
13 Let's say the rates go up over those 10 years,
14 \$6,000 for garbage pickup if I was paying for it.

15 And according to an article that I
16 found online, Richard C. Redy from Penn State did a
17 study on this and he said, high volume dumps that
18 are 500 tons plus will drop property values as much
19 as 13.7 percent. Low volume dumps will drop as low
20 as 2.7 -- increase -- excuse me, drop property
21 values by as much as 2.7 percent. So let's assume
22 we're somewhere between there -- and I know, Mr.
23 Chairman, earlier you had said that in the
24 beginning, you had said your number was seven
25 percent, so let's just use seven percent. For those

1 of us who are living there and that smell comes in,
2 that's a loss of property value for us. And I'm not
3 saying I'm in a high value area of the town, but
4 it's still my place. I own it. The bank does not.
5 I lose that money. It's not worth the savings in
6 the garbage pick up. That's all. Thank you.

7 MR. LEVITS: Okay. I saw another hand
8 somewhere. Over there, yes.

9 RESIDENT: Hi. I'm (indecipherable).

10 MR. LEVITS: You're going to have to
11 come up -- to hear you, you're going to have to come
12 up to the podium, please. Just remember right now
13 we're only concerned with the granting or denying.
14 The motion is to deny the zoning change.

15 RESIDENT: Hi, I'm (indecipherable).
16 I strongly oppose the rezoning, but I also wanted to
17 address (indecipherable). I'm one of those people
18 that signed one of those papers, but I also wrote a
19 letter to the Township and I've also attended
20 (indecipherable). So -- and I'm sure there's other
21 people here too that feel that generalization that,
22 you know, you just sign a paper and you don't be
23 invested in it. I think that's an incorrect thought
24 on your part. And I would just like to encourage
25 those here tonight, if you didn't sign one of those

1 papers, come up and take one and say that you
2 strongly (indecipherable).

3 MR. LEVITS: Just so that everybody
4 understands, we only have 55 more minutes and we
5 have to close the meeting and we have a couple other
6 motions we have to get through yet tonight. Jane.
7 Again, please try to keep it to the zoning request.

8 MS. MELLERT: Understood. Can you
9 hear me?

10 (Residents all respond no.)

11 Use the other microphone.

12 MS. MELLERT: Is it working?

13 MR. LEVITS: Oh, that one's working
14 real well.

15 MS. MELLERT: Terry, I wanted to
16 address to you that I know that you said about the
17 amount of people in Pen Argyl and that Pen Argyl
18 Council wrote a letter and Wind Gap Council, but I
19 wanted to let you know that there's many people in
20 those municipalities that had no idea whatsoever
21 that their rural councils wrote that letter. And
22 even on some of the fire departments, I've talked to
23 the people and it doesn't mean because they sent a
24 letter that they're really behind it and they want
25 it to go through.

1 I'm asking you to please, in addition,
2 not approve the amendment of the steep slopes, or
3 the removal of the conditional use, or the number of
4 acres or definition for a landfill. There was also
5 another financial study that was done in 2017 by
6 Gwen. The board reviewed that information in
7 October of 2017. I won't go into the details, but
8 they took the projections out much, much further.
9 So it wasn't 2038, it was more towards 2052. They
10 were trying to look at it over the next 25 years.
11 And there was several different scenarios. So this
12 is the golden opportunity for Plainfield Township to
13 come up with new revenue opportunities.

14 I have a letter written, I'm not going
15 to go over that, but I approve of what you're moving
16 towards in not recommending the rezoning of the
17 area. The children in Plainfield Township, Pen
18 Argyl, and these communities deserve better. They
19 deserve better than having municipalities justify
20 the landfill to bring in revenue and support their
21 communities. They deserve better opportunities so
22 that they remain here and want to grow up and stay
23 in these communities. There's been many that moved
24 away and it's time for the Board to look at those
25 opportunities for the children because they're the

1 future. Thank you for what you're doing. I support
2 your vote.

3 MR. LEVITS: Okay. I didn't see any
4 other hands. Were there any last calls real quick?

5 (No response.)

6 MR. LEVITS: Okay. Move to a vote
7 then. All --

8 MR. GEISSINGER: Do we have a second
9 on the motion? We did.

10 MR. LEVITS: Yes.

11 MR. GEISSINGER: I'm sorry.

12 MR. LEVITS: We had a second, yes.

13 Okay. All those in favor say, I.

14 I.

15 MR. KLEINTOP: I.

16 MS. DINGLE: I.

17 MR. GEISSINGER: I.

18 MR. LEVITS: Opposed?

19 MR. SCHAFER: Opposed.

20 MR. GEISSINGER: You have four.

21 MR. LEVITS: Four I's. Okay. Four to
22 one. Okay. Motion passed four to one. Okay.

23 (Residents applaud.)

24 MR. LEVITS: Second issue --

25 MR. KLEINTOP: Paul.

1 MR. LEVITS: Yes.

2 MR. KLEINTOP: I don't think the
3 second or third issues need to be addressed since
4 the --

5 MR. LEVITS: I'll defer to our
6 attorney on that.

7 MR. BACKENSTOE: Yes. I actually
8 think they do have to be addressed because the way
9 these amendments are couched, they would affect your
10 current zoning ordinance --

11 MR. GEISSINGER: Right.

12 MR. BACKENSTOE: -- not just the
13 proposed. So I think you should address them.

14 MR. KLEINTOP: Okay.

15 MR. LEVITS: All right. What's the
16 thoughts here on changing the zoning use to be
17 permitted by right? Do I have a motion to grant
18 that or a motion to deny that? Do I have that from
19 anybody?

20 MR. GEISSINGER: Motion to deny it.

21 MR. LEVITS: I have a motion to deny,
22 do I have a second?

23 (No response.)

24 MR. LEVITS: I'll second that.

25 Discussion?

1 MR. SCHAFER: For zoning? Number two
2 you're voting on?

3 MR. LEVITS: Number two, correct.

4 MR. SCHAFER: Making it permitted use?

5 MR. LEVITS: By right.

6 MR. GEISSINGER: By right instead of a
7 conditional use.

8 MR. LEVITS: Correct.

9 All right. So I have a motion and a
10 second, do I have any -- again, public comment and
11 it would only be on this particular issue to change
12 the zoning or grant the zoning use to be permitted
13 by right.

14 (No response.)

15 MR. LEVITS: Hearing no comment.

16 WASTE MANAGEMENT: Paul, is it just
17 for this project?

18 MR. LEVITS: No.

19 MR. GEISSINGER: No. That's the
20 thing, it --

21 MR. LEVITS: No. It's -- it's an
22 amendment to your zoning ordinance.

23 MR. GEISSINGER: Right.

24 MR. SCHAFER: So, it's only -- if it
25 gets changed now, it can never go back?

1 MR. BACKENSTOE: Well, it would
2 have -- you can only amend an ordinance with another
3 ordinance. So it would be too far reaching to say
4 it could never be changed back. However, if you
5 voted to approve this or recommended approval, and
6 the Board ultimately approved it, it would make the
7 sanitary landfill use a by right use as opposed to a
8 conditional use and that would be true for any
9 entity that proposed the use in your township.

10 MR. SCHAFER: In a solid waste
11 district.

12 MR. BACKENSTOE: In solid waste
13 district only. You don't permit it anywhere else.

14 MR. LEVITS: Allen, does that answer
15 your question?

16 MR. SCHAFER: To a point, yes.

17 MR. LEVITS: To a point.

18 MR. SCHAFER: Well, as best as I can
19 understand it, yes.

20 MR. LEVITS: Okay. All right. So I
21 have a motion, I have a second. Right? We're good.
22 Again, public comment on this issue?

23 (No response.)

24 MR. LEVITS: None. All those in favor
25 say, I.

1 MR. LEVITS: I.

2 MR. GEISSINGER: I.

3 MR. KLEINTOP: I.

4 MS. DINGLE: I.

5 MR. LEVITS: Opposed?

6 MR. SCHAFER: I'm going to oppose it.

7 MR. LEVITS: Okay. Four to one.

8 Okay. Now the third item is the
9 landfill exemption from steep slopes. Now this is
10 for an existing condition steep slope; isn't that
11 correct?

12 WASTE MANAGEMENT: Correct.

13 MR. LEVITS: Okay. So it's not when a
14 developer or builder would come in and modify
15 things. This is the way the topography stands right
16 now. They're looking for an exemption from the
17 steep slope which is an existing condition on that
18 property if I understand it correctly. Am I right
19 about that down there? Ms --

20 My understanding was the steep slope
21 goes away, doesn't it, when you start construction?

22 (No response.)

23 MR. LEVITS: But the steep -- the
24 steep partially goes away -- true, but there's a
25 steep slope there that they're going to be working

1 against or with. On my research here that -- I did
2 come across the issue of steep slopes -- natural
3 steep slopes have a potential of being unstable on
4 something of that nature when they put a landfill or
5 anything in.

6 MR. SCHAFER: Yes, but it's going
7 away, correct? The steep slope goes away?

8 WASTE MANAGEMENT: It's addressed in
9 the design process. There's investigation work that
10 characterizes the slope and the material of the soil
11 and that's taken into consideration of the design.

12 MR. SCHAFER: So we're going to vote
13 on something that's not going to exist? On this --

14 WASTE MANAGEMENT: If the design
15 indicated that it was unstable or even half -- it's
16 actually designed to factor safety 1.5 -- that
17 design is validating that the existing condition
18 modified to the design of the landfill is stable.

19 MR. LEVITS: Mr. Crowley, do you have
20 anything to comment on that?

21 MR. CROW LY: No.

22 MR. LEVITS: No. Not at this time?

23 MR. CROW LY: No.

24 MR. LEVITS: Okay.

25 MS. DINGLE: Paul.

1 MR. LEVITS: Robin.

2 MS. DINGLE: I have a question. If we
3 do this, this is again, a change to the ordinance?

4 MR. LEVITS: Correct.

5 MS. DINGLE: So it would apply to
6 all --

7 MR. LEVITS: That's true.

8 MS. DINGLE: Correct. So again, I
9 would suggest if we did not -- if we deny it as an
10 ordinance amendment, then it would have to come in
11 as a variance during design when we would get more
12 specific information relative to that site's
13 specific conditions, correct?

14 MR. BACKENSTOE: That's correct. If
15 you did not -- if this ordinance -- if this
16 amendment were not approved, they would, in the
17 future as they have in the past, have to come for
18 zoning relief and really make the case that they're
19 presenting tonight, that they modify the land such
20 that its really not in steep slope anymore. And
21 that's the case that they would make to the Zoning
22 Hearing Board. That's true, yes.

23 MR. KLEINTOP: Okay. In essence -- in
24 essence, you would be the -- you would be
25 (indecipherable) without the value of the overlay

1 district as it currently exists.

2 MR. BACKENSTOE: In the solid waste
3 district as it applies to landfills, yes.

4 MR. KLEINTOP: Okay.

5 MR. LEVITS: All right.

6 MS. DINGLE: Can I make a motion then?

7 MR. LEVITS: Yes, go ahead. That's
8 what I was going to ask for.

9 MS. DINGLE: I would make a motion to
10 deny this so that, again, the condition or the
11 change can be reviewed on a site-specific basis. A
12 more detailed design.

13 MR. LEVITS: Okay. So I have a
14 motion, do I have a second?

15 MR. KLEINTOP: I'll second.

16 MR. LEVITS: Second by Terry.
17 Discussion?

18 (No response.)

19 MR. LEVITS: Any questions from the
20 public? Justin?

21 MR. HURATIAK: All I have to say is
22 that it also applies to other developers such as the
23 farm in question that presented a single-family home
24 sketch plan to the same Board two years ago about
25 steep slopes. That was conditioned where the

1 density of the development process was declined
2 because of that ordinance. So though the condition
3 goes away only after you disturb the natural steep
4 slope, by approving or recommending to change the
5 ordinance, you're opening up again the window for
6 other people coming in and do just that, ask for the
7 same.

8 MR. LEVITS: Sounds like we're going
9 the other way, you know, to deny it at this point.
10 Anything else? Anybody else?

11 MR. MERANO: I think you're all wrong.

12 MR. LEVITS: Okay. And your name?

13 MR. MERANO: Last name Merano, first
14 name Paul. What's going to happen when everything
15 goes up? When they can't help the kids at school?
16 We get nothing. I want everybody's name because
17 when my taxes go up, everybody's going to pay for
18 them.

19 MR. LEVITS: The only thing --

20 MR. MERANO: Let's be realistic here,
21 people. There is nothing around here. We have
22 small businesses. Are they going contribute like
23 Waste Management does, no. And about air quality,
24 we had the fire up in Canada, all that shit come on
25 down through, was that Waste Management's fault?

1 Come on.

2 MR. LEVITS: Right now, we're talking
3 about an exemption from the steep slope and that's
4 really what we're talking about at this moment.

5 RESIDENT: Just deny it.

6 MR. LEVITS: Okay. All right. I
7 think we got the feel from the public. I think we
8 got -- I have a motion, I have a second, all those
9 in favor say, I.

10 I

11 MR. GEISSINGER: I.

12 MR. KLEINTOP: I.

13 MS. DINGLE: I.

14 MR. LEVITS: Opposed?

15 MR. SCHAFER: I'll oppose it.

16 MR. LEVITS: Okay. Four to one.

17 Okay. So that's the last of the items for Waste
18 Management. I think we'd like to do one more item
19 and I think Robin brought it up or Terry brought it
20 up, we'd like to make a motion to the Supervisors to
21 establish an Economic Development Committee.

22 Robin, do you want to throw that in
23 there or --

24 MS. DINGLE: Sure.

25 MR. LEVITS: -- Terry, somebody?

1 MS. DINGLE: Yes, I make a motion to
2 establish an Economic Development -- a motion to
3 initiate an Economic Development Committee to
4 support the Board in identifying an alternate
5 revenue source to supplement the fund when it
6 deteriorates at 2038 or beyond. That Board could
7 consist of members from the Board of Supervisors,
8 Planning Committee, Zoning, and local residents
9 including Realtors and business people.

10 MR. BACKENSTOE: Let me just say this,
11 just to be procedurally appropriate, that issue is
12 not on the agenda and --

13 MR. LEVITS: Right.

14 MR. BACKENSTOE: -- that's
15 problematic. I think you want to discuss it, you
16 know, you've done that. I think at your next
17 meeting --

18 MR. LEVITS: Put it on for the next --

19 MR. BACKENSTOE: I think at the next
20 meeting, you certainly can do it. But I think in
21 all fairness to anybody that would want to speak to
22 it, it's not on the agenda and, therefore, that
23 would violate the Sunshine Law.

24 MR. LEVITS: All right. I'll put that
25 on the agenda -- our next agenda. Okay. I guess

1 that's it. Do I have a motion to adjourn?

2 MR. GEISSINGER: Motion to adjourn.

3 MR. LEVITS: Second. Have a good
4 evening everybody.

5 (Meeting Concluded.)

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