

**Plainfield Township
Environmental Advisory Council Meeting
January 8, 2018**

The Plainfield Township Environmental Advisory Council meeting was held on Monday, January 8, 2018, at 7:00 pm at the Plainfield Township Municipal Building, 6292 Sullivan Trail, Nazareth, PA 18064.

Those in attendance were:

Terry Kleintop, EAC Chairman	Robert Cornman – EAC Vice Chairman
Robin Dingle – EAC Member Reappointed	Don Moore – EAC Member
Bruce Rabenold – EAC Member	Robert Simpson – EAC Member Absent
Jane Mellert, EAC Secretary and Member Reappointed	Tom Petrucci – Plainfield Twp. Manager

The meeting was called to order at 7:00 pm.

The pledge of allegiance was performed.

Also in attendance – Charlie Schmehl, Vice President of Urban Research and Development Corporation

NOMINATION AND ELECTION OF CHAIRMAN

Robert Cornman nominated Terry Kleintop for the position of EAC Chairman. The nomination was seconded by Robin Dingle. **Vote 5 Yes and 1 No vote from Terry Kleintop**

NOMINATION AND ELECTION OF VICE CHAIRMAN

Don Moore nominated Robert Cornman for the position of EAC Vice Chairman. The nomination was seconded by Bruce Rabenold. **Vote 5 Yes with Bob Cornman abstaining from the vote.**

APPROVAL OF THE MINUTES

Motion – December 4, 2017 Minutes - A motion was made by Robert Cornman and seconded by Bruce Rabenold to approve the December 4, 2017 minutes. **Vote: 6 Yes**

OLD BUSINESS

Mini-Grant Appalachian Trail Conservancy Assessment and Evaluation of Plainfield Township’s SALDO and Zoning Ordinances - \$17,500 Grant, Plainfield Township Matching Funds \$3,500.00. On June 14, 2017 the Board of Supervisors awarded the Professional Services Contract to URDC in the bid award amount of \$16,900. Charlie Schmehl, Vice President of URDC was present at the meeting to review the 4th draft of the revised zoning regulations dated January 3, 2018.

PART 1. Tree Protection and Timber Harvesting

Terry Kleintop took the liberty to get additional information on the subject of timber harvesting. He spoke to the DEP representative responsible for Northampton County. Mr. Kleintop also spoke to Tim Dugan, DCNR Forester and Tom Petrucci, Township Manager regarding our current Ordinance regulations and the proposed revisions. The information has been sent to the DEP representative and Tim Dugan.

It was noted that the Pennsylvania Attorney General's office is concerned with the proposed ordinances in East Nantmeal Township, Pocopson Township, and Lower Saucon. There are a lot of objections to the proposed ordinances. The problem is that municipalities are allowed to put an ordinance in place but the State doesn't want the regulations to over reach. Many areas of regulation are preempted by State and Federal regulations. There is not a clear cut court decision on municipal regulation issues at this point.

Don Moore reviewed the information and called the Attorney General's office and had a discussion on how the various court cases regarding timber harvesting will be resolved. The Attorney General calls a professor at Penn State when he needs to research timber harvesting. Don also spoke with representatives at Warwick, East Nantmeal, and Pocopson. On 1/8/18 Don emailed the EAC members revisions that he would like to add to the draft Timber Harvest regulations.

Ordinances submitted for review are being compared to the Penn State Ordinance by DCNR Forester Tim Dugan. Mr. Dugan is available to assist with putting regulations in place.

Ann Hutchinson from the Natural Lands Trust and Brooks Mountcastle, an environmental planner with the Appalachian Trail Conservancy will be at the Township on Thursday, January 11, 2018. Ann and Brooks have reviewed the draft zoning revisions and will help give direction and advice on additional changes.

Terry Kleintop noted the State may want to make the East Nantmeal version the model ordinance.

The draft zoning ordinance revisions will go to the Planning Commission prior to going to the Board of Supervisors for adoption and will need to be in compliance with grant regulations.

Bob Cornman suggested pulling the Timber Harvesting section of the revised ordinance regulations out of Charlie's draft and handling it separately. Robin Dingle sees the advantage of handling it separately but does not want it to be put off. Robin wanted to know what is already protected under other regulations. She would like to have a GIS resource to review what and where regulations apply. Bruce Rabenold noted that we have to look at Plainfield Township, the ACRE law, and PA Code. The PA Code notes the Township has a responsibility to protect natural resources. Terry Kleintop noted that the EAC should wait until the February meeting to determine whether the Timber Harvest section of the draft regulations should be pulled out. Robin Dingle does not believe we should allow clear cutting. If a property is being clear cut the owner should have a plan as to why it is being clear cut.

The LVPC must review the final version of the draft regulations.

Tom Petrucci asked how the revisions in the draft from Don Moore would be regulated. Some of the requirements will take 25 years under the forest regeneration plan. Robin Dingle noted different instances that could occur. Some enforcement is done up front or a possible long term plan may include the municipality holding a bond. The land owner could be reimbursed the bond money after 5 or 10 years if regeneration is in place. Charlie Schmehl noted that you could require the property to be inspected on an annual basis. A check list can be developed to aid in tracking the regeneration. References to federal and/or state regulations should be included.

The EAC will review the timber harvest regulations at the February meeting after Ann Hutchinson and Brooks Mountcastle's review.

PART 7. Springwater and Water Withdrawals -- Charlie Schmehl handed out an ACRE Court case from Locust Township regarding water resources.

Terry Kleintop noted that Nestle is having difficulty finding additional spring water sources. Nestle currently has a spring water withdrawal site in Washington Township, Northampton County. The company is looking for a spring source where they can locate without trucking the water to the plant. Charlie noted the Solicitor has to be asked question regarding what the municipality can regulate. Clarification is needed on whether the Township can restrict the extraction of water to certain zoning districts due to residential impact and regulate trucking from the site. Setbacks can be regulated and enforced.

Part 19 Setbacks from Pipelines – Charlie Schmehl handed out a chart showing the hazard area radius in feet according to the maximum operating pressure. A note regarding setbacks was added under #7 in the proposed regulations.

2017 EAC Year End Report

Jane Mellert submitted the draft 2017 EAC Year End Report for review and approval.

Motion – 2017 EAC Year End Report- A motion was made by Robert Cornman and seconded by Robin Dingle to approve the 2017 EAC Year End Report. Vote: 6 Yes

Northampton County Farmland Preservation – County/Municipal Partnership Program Update

Tom Petrucci will call Maria on Tuesday in order to request information on farms in Plainfield Township that applied for the 2018 preservation process. Terry Kleintop noted that Lamont McClure the new Northampton County Executive is committed to supporting farmland preservation.

Plainfield Township Earned Income Tax Collection for Open Space Discussion

Tom Petrucci noted the grant project needs to be finished prior to the EAC reviewing the alternate uses for the Earned Income Tax funds. A survey of the Township should be conducted when considering the purchase of additional properties, such as, ponds, and additional recreation facilities.

Regional EAC Meeting

Brooks Mountcastle the Environmental Planner for the Appalachian Trail Conservancy Mid-Atlantic Regional Office held a regional EAC meeting on December 6th at the Plainfield Township Municipal Building. Progress updates and success stories were given by the municipalities in attendance.

PA DEP Growing Greener Plus Grant- Little Bushkill Creek

No update at this time.

NEW BUSINESS - None

PUBLIC COMMENT -None

MEETING ADJOURNMENT

Motion - Meeting Adjournment – A motion was made by Bob Cornman and seconded by Robin Dingle to adjourn the meeting at 9:32 pm. **Vote 6 Yes**

The next EAC meeting will be held on February 5, 2018
Respectfully Submitted,

Jane Mellert, Secretary
Plainfield Township EAC

1st draft from January 15, 2018