

**PLAINFIELD TOWNSHIP  
PLANNING COMMISSION REGULAR MEETING  
JULY 16, 2018**

A regular meeting of the Plainfield Township Planning Commission was held on Monday, July 16th, 2018 at the Plainfield Township Volunteer Fire Company Banquet Facility located at 6480 Sullivan Trail, Wind Gap, PA, 18091.

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: Chairman, Paul Levits, Vice Chairman, Robert Simpson, Robin Dingle, Jeffrey Beavan, Terry Kleintop and Secretary, Paige Gerstenberg.

Also present were Township Manager, Tom Petrucci, Zoning Officer, John Lezoche, Solicitor, David Backenstoe, Esq., and Township Engineer, Mike Kukles.

**APPROVAL OF MINUTES:**

1. APPROVAL OF THE MAY 21, 2018 PLANNING COMMISSION MEETING MINUTES:

**ACTION:** Motion was made by Robert Simpson and seconded by Terry Kleintop to approve the meeting minutes dated May 21, 2018 as presented. *Prior to the vote, Chairman, Paul Levits, asked if there were any comments from the governing body or the public.* Motion approved. Vote 5-0.

2. APPROVAL OF THE MAY 31, 2018 PLANNING COMMISSION MEETING MINUTES:

**ACTION:** Motion was made by Robert Simpson and seconded by Jeffrey Beavan to approve the meeting minutes dated May 31, 2018 as presented. *Prior to the vote, Chairman, Paul Levits, asked if there were any comments from the governing body or the public.* Motion approved. Vote 5-0.

**TIME EXTENSIONS:**

1. TACO BELL LAND DEVELOPMENT PLAN (6695 SULLIVAN TRAIL, WIND GAP, PA 18091): EXTENSION OF TIME REQUESTED THROUGH SEPTEMBER 30, 2018:

**ACTION:** Motion was made by Terry Kleintop and second by Robin Dingle to approve the requested extension of time through September 30, 2018 for the Taco Bell Land Development Plan. *Prior to the vote, Chairman, Paul Levits, asked if there*

*were any comments from the governing body or the public. Motion approved. Vote 5-0.*

2. GRAND CENTRAL SANITARY LANDFILL, INC. (PEN ARGYL ROAD, PEN ARGYL, PA 18072) SLATE BELT HEAT RECOVERY CENTER: EXTENSION OF TIME REQUESTED THROUGH OCTOBER 30, 2018:

**ACTION: Motion was made by Robert Simpson and seconded by Robin Dingle to approve the requested extension of time through October 30, 2018 for Grand Central Sanitary Landfill, Inc. and Slate Belt Heat Recovery Center. Prior to the vote, Chairman, Paul Levits, asked if there were any comments from the governing body or the public. Motion approved. Vote 4-0-1 with Jeffrey Beavan abstaining.**

### **NEW BUSINESS:**

1. GEORGE & MARGUERITE DARANSKY (5769 SULLIVAN TRAIL, NAZARETH, PA 18064) MINOR SUBDIVISION PLAN REVIEW FOR 5769 SULLIVAN TRAIL (APPLICATION SUBMITTED MAY 22, 2018):

A representative from Robert L. Collura Engineering, Mr. Ryan Dentith, provided an overview of the sketch plan to the Planning Commission. The proposal, located at the corner of Filetown Road and Sullivan Trail in Plainfield Township, included subdividing a 5.48 acre lot into two single family dwelling lots along with a residual lot containing an existing dwelling, barns, and sheds. From the sketch plan review, necessary changes have been made to the proposed Final Minor Subdivision Plan for review and compliance.

Plainfield Township Engineer, Mike Kukles, went over the newest review letter that was provided to the applicant and the Township. Within the letter, Mr. Kukles addressed many comments. On page 2 of 4 of the review letter from Ott Consulting dated June 11, 2018, it was noted that the applicant has not received all green card return receipts for all property owners within 200 feet. Additionally, a partial waiver request for §22-703.3 and §22-703.5 are no longer needed as all natural and manmade features are included on the newest plan. With respect to §22-703.7.H, a waiver for this section is no longer necessary for planting trees. Since this application submission is a minor subdivision, street trees are not required. Mr. Kukles added that a covenant in regards to §22-703.8.A shall be placed on the plan.

It was questioned by Mr. Kukles what the status is of the Highway Occupancy Permit. Mr. Dentith stated that they do have the permit currently in regards to the driveways only. The utilities section of this permit application were not included at this time. The applicant requested a waiver of §22-1007.4 to allow side lines to not be at right angles to strait streets. Mr. Kukles stated that he had no engineering objection to granting this waiver. With respect to §22-1011.2, the applicant has indicated that the utilities are in process. Street lights are also required per §22-1016.1 which the applicant requested a waiver for. Mr. Kukles stated that §22-1021.1.A may require a NPDES permit. In regards

to the Zoning portion of the review letter, Mr. Kukles noted that a grading plan for Lot #1 as shown on the plan is required.

Chairman, Paul Levits, questioned Mr. Kukles on whether he had any objections to the waivers that are being requested. Mr. Kukles stated that in his opinion, he does not have any objections. Mr. Levits questioned Mr. Dentith as to why the applicant does not want to show the natural features beyond property line. The applicants Engineer, Mr. Ryan Dentith, noted that having to fulfill this requirement will add extra expenses for the applicant and the existing features extend onto neighboring properties. Mr. Dentith added that he does not like to trespass if at all possible and does not find this requirement necessary. Commissioner, Terry Kleintop, stated that he is just concerned because of the stream location and that this proposed area is a very wet location.

**ACTION: Motion was made by Jeffrey Beavan and second by Vice Chairman, Robert Simpson, to recommend to the Board of Supervisors approve the waivers for §22-703.3, §22-703.5 and §22-1007.4. Prior to the vote, Chairman, Paul Levits, asked if there were any comments from the governing body or the public. Motion approved. Vote 5-0.**

With respect to §22-1023.8, Township Engineer, Mike Kukles, provided the Planning Commission with more detail from an engineering perspective with this section. Mr. Kukles stated that the only areas would be near the existing stream that is shown on the plan. The applicant shows the 100 foot riparian buffer as well as the 50 foot open space line. He added that all septic system items are shown on the plan, as required. Commissioner, Terry Kleintop questioned Mike on whether this will be dealt with once there is a buyer for the land and whether this poses to be a concern. Commissioner, Robin Dingle, added that there could be issues in this area due to the wetlands in this location. Mr. Kleintop requested that a note be put on the plan for the prospective buyer so that they are aware of the possible issues associated with this property. The applicants engineer stated there were notes that address any issues on the plan along with an indemnification which stated that Plainfield Township is not liable for any issues. Commissioner, Robin Dingle, stated that the 105 permit shall also be added. The Planning Commission stated that this is something that should be completed now and not when there is a prospective buyer. Mr. Robert Simpson stated that the prospective buyer will want to know anything and everything there is to this land prior to purchasing it. Mr. Kleintop stated that the applicant, George Daransky, plans on moving once this is all completed so this is something that should be completed now. Mr. Dentith expressed concern of the added time and expenditure for the applicant.

**ACTION: Motion was made by Terry Kleintop and second by Robin Dingle to recommend to the Board of Supervisors to deny the waiver request for §22-1023.8. Prior to the vote, Chairman, Paul Levits, asked if there were any comments from the governing body or the public. Motion approved. Vote 5-0.**

§22-1016.1 was also addressed in regards to the street light issue. Mr. Kleintop stated that there is one street light that already exists on Filetown Road, however, there are no other street lights in that area.

**ACTION: Motion was made by Vice Chairman, Robert Simpson, and second by Jeffrey Beavan to recommend to the Board of Supervisors to approve the waiver request for §22-1016.1. Prior to the vote, Chairman, Paul Levits, asked if there were any comments from the governing body or the public. Motion approved. Vote 5-0.**

Mr. Ryan Dentith requested Conditional Plan Approval from the Planning Commission. Township Engineer, Mike Kukles, does not see any issues with approving this plan. Township Solicitor, David Backenstoe, added that as long as all remaining conditions are met, approval may be granted by the Board of Supervisors. It was noted that if there are no wetlands on the proposed property as determined by a wetlands consultant, then the plans shall state that there are no wetlands.

**ACTION: Motion was made by Vice Chairman, Robert Simpson, and second by Terry Kleintop to recommend to the Board of Supervisors to conditionally approve the Final Minor Subdivision Plan for George and Marguerite Daransky given that the applicant complies with every condition set forth within the Ott Consulting Letter dated June 11, 2018, the Letter from PA American Water dated May 30, 2018, DEP Module Approval, the owners signature and notarization, and to comply with §22-1023.8. Prior to the vote, Chairman, Paul Levits, asked if there were any comments from the governing body or the public. Motion approved. Vote 5-0.**

### **OLD BUSINESS:**

1. APPALACHIAN TRAIL ORDINANCE- CONTINUED REVIEW:

Mr. Charlie Schmehl noted a few items that were changed on the most current draft of the Appalachian Trail Ordinance. There was a handout provided to the Planning Commission which articulated all of the changes made. Mr. Schmehl requested that the Appalachian Trail Ordinance now move to the Board of Supervisors for consideration of adoption and added that the LVPC will most likely need to review the Ordinance once more because of the changes.

**ACTION: Motion was made by Jeffrey Beavan and second by Robin Dingle to forward the current drafted Appalachian Trail Ordinance for the consideration of adoption with the July 16, 2018 amendment. Prior to the vote, Chairman, Paul Levits, asked if there were any comments from the governing body or the public. Motion approved. Vote 5-0.**

2. TACO BELL LAND DEVELOPMENT PLAN (6695 SULLIVAN TRAIL, WIND GAP, PA 18091)- SUBMISSION DATE: APRIL 27, 2018; EXPIRATION DATE: AUGUST 31, 2018:

Chairman, Paul Levits, questioned the applicant on whether there were any updates from the last meeting. The applicant stated that one of the things that was added was the side walk connection and the survey was also updated. The survey details were not yet forwarded to the Township Engineer, Mike Kukles. These were the only changes present at this time.

Township Engineer, Mike Kukles, went over the review letter dated July 11, 2018. Most of the items in the beginning of the letter were in reference to the center lines of exiting streets, the ultimate right of way of the lines, the geometry of the lot and the net lot area. With respect to §22-503.4.C.2, this is the first waiver that was requested by the applicant. The applicant stated that this waiver is no longer needed as this requirement has been met. Mr. Kukles stated that it was previously requested that the monuments be shown on the plan. There must be no disturbance to the two monuments currently located on the property.

Representatives of Taco Bell stated that most of the information on the review plan has been addressed on the new survey. Vice Chairman, Robert Simpson, questioned why members of the Planning Commission would waive this requirement when it is addressed within developments of this nature. Township Engineer, Mike Kukles, stated that he believes the utilities have been shown on the plan in the way that the applicant intends to use them. It was requested to add a note on the plan stating that based on siting of utilities, there are no conflicts or crossovers and therefore, a utility profile is not required. For §22-503.6.B(1), this waiver request has already been voted on and approved to move forward to the Board of Supervisors.

**ACTION: Motion was made by Robert Simpson and second by Robin Dingle to recommend to the Board of Supervisors to approve the waivers for §22-503.10. and §22-1012. Prior to the vote, Chairman, Paul Levits, asked if there were any comments from the governing body or the public. Motion approved. Vote 5-0.**

In reference to line item number 15 in the review letter, this section mainly pertained to drafting issues on the plan. It was requested that a letter from PA American Water Company be provided to the Township which confirms that the company is able to provide public water service as well as approving the water system design. It was also noted that the application for sanitary sewer services is currently being reviewed by Wind Gap Municipal Authority.

The applicant stated that the data from the new survey that was completed will close any loop holes with respect to §22-603.2.B(1). Commissioner, Robin Dingle, questioned whether there were requirements from ABACT for §22-1009.7.J. The applicant stated that there are no requirements through ABACT.

With respect to number 29, Mr. Kukles stated that Plainfield Township is more restrictive than what PennDOT requires. The applicant requested a waiver of this section in order to allow a driveway curb radius to be less than 25 feet on Sullivan Trail.

**ACTION: Motion was made by Jeffrey Beavan and second by Terry Kleintop to recommend to the Board of Supervisors to approve the waivers for §22-1013.4.B(3). Prior to the vote, Chairman, Paul Levits, asked if there were any comments from the governing body or the public. Motion approved. Vote 5-0.**

Under the stormwater management section of the review letter, it was noted that this project will still need to go by all requirements set forth within Act 167 because of the other permits that are needed with this project. Additionally, letter F of the stormwater management section memorialized the revised design with respect to the proposed connection to the inlet at EAD-02. It was stated that the connections at the intersection of Sullivan Trail and Moorestown Road are not Plainfield Township's responsibility to maintain. This area is specifically regulated by the Department of Transportation (DOT).

Chairman, Paul Levits, questioned about the applicant's proposed drive-thru concerning the calculations on cars stacking up. Mr. Levits asked what the normal calculations of this type of drive-thru are at various time frames. The applicant stated each car is approximately 20 feet long and they are lined up one after another in their calculations. Approximately 8 cars can be in the lane at the start of the drive-thru lane. Mr. Levits questioned how far back the cars will go around the parking lot. The applicant stated that in situations such as this, it is hard to tell. Additionally, there is a bypass lane for other vehicles to drive around the Taco Bell. Mr. Levits stated that he does not want to see the same situation at Dunkin' Donuts to happen at Taco Bell as well. He noted many cars line up into the intersection and it causes many hazardous conditions and that a limit of 8 cars at the Taco Bell location is not always practical given the way individuals operate their vehicles and what time of day it is. Commissioner, Robin Dingle, questioned whether there is a policy where if an order is too large to order in the drive-thru, that the employee direct the occupants of the vehicle to order inside the restaurant. The applicant is unsure of this policy at this time.

Township Engineer, Mike Kukles, stated that there are no objections to the engineering and zoning sections of the submission. Chairman, Paul Levits, questioned the applicant on why they feel as though they should be granted Preliminary Final Approval. The applicant stated that all comments have been changed and addressed. They added that there will be no changes made to the layout of the restaurant and only minor engineering details and comments will change on the plan. Commissioner, Terry Kleintop, questioned the applicant on when they would have an updated survey for Mr. Kukles to review. The survey is currently ready for review, it just has to be given to Mike, which can be at any time. Ms. Robin Dingle questioned Mr. Kukles about the stormwater calculations. She questioned whether there is any way that once the applicant corrects all the issues, that it will change concentration volumes. Mr. Kukles said that a change is possible, however, the time concentration is not nearly as critical as it is with the rational calculation so these changes would have less of an effect.

**ACTION: Motion was made by Robert Simpson and second by Jeffrey Beavan to recommend to the Board of Supervisors to approve a waiver for §22-602 to review the Land Development Plans as Preliminary/Final in lieu of Preliminary only.**

Mr. Stephen Hurni questioned exactly what the percentage is for the drive-thru versus individuals going inside or order/eat. The applicant stated that it is approximately 60% - 65% of customers use the drive-thru only. Resident, Tom Carlos, asked whether there was a sidewalk at that area. The applicant noted that there is a walkway already present. Chairman, Paul Levits, asked when the prospective demo date would take place. The applicant stated that it would most likely be in the spring of 2019.

*Prior to the vote, Chairman, Paul Levits, asked if there were any comments from the governing body or the public. Motion approved. Vote 5-0.*

**ACTION: Motion was made by Robert Simpson and second by Terry Kleintop to table the Taco Bell Land Development Plan to the next regular Planning Commission meeting. Prior to the vote, Chairman, Paul Levits, asked if there were any comments from the governing body or the public. Motion approved. Vote 5-0.**

3. GREEN KNIGHT INDUSTRIAL PARK II (REQUESTING INTERPRETATION OF 10.12 WITHIN THE TOWNSHIP'S SALDO)- SUBMISSION DATE: APRIL 27, 2018:

Mr. Pete Albanese and Mr. Robert Cornman were present at the meeting on behalf of the Green Knight Industrial Park II. This matter was previously discussed at a prior meeting with the Planning Commission. The applicant stated that they would be authorized to run high voltage lines in order to serve the development, however, such lines would need to be above ground. The Planning Commission previously requested additional information from Met-Ed as to why underground wiring would not be permitted. It was stated by Met-Ed that they simply will not serve this area with underground power as they refuse to design underground high voltage. The plan for this industrial park was conditionally approved with the wiring being placed underground. The applicant is requesting the Planning Commission to allow for the electrical wiring to be above ground in order to move forward with this project.

Township Engineer, Mike Kukles, offered more detail for the Planning Commission with respect to underground systems and the transformers. Mr. Kukles stated that the transformers are wired in series and the above-ground are installed parallel. With the lights, if one goes out then they all go out. Mr. Kukles added that Met-Ed requires 34.5 KY lines. Commissioner, Terry Kleintop, questioned whether there is a policy in place for all situations such as this. Mr. Kukles stated this is usually the case in these situations with Met-Ed.

Chairman, Paul Levits, noted that the original letter from Met-Ed was too short and not detailed enough. He added that the applicant would not be at this meeting tonight if they had a reasonable explanation from Met-Ed from the beginning.

**ACTION: Motion was made by Robert Simpson and second by Chairman, Paul Levits, to approve the request of the applicant for the placement of underground powerlines to be above-ground in accordance with §22-1012 as the previously**

**approved conditions are no longer feasible. *Prior to the vote, Chairman, Paul Levits, asked if there were any comments from the governing body or the public. Motion approved. Vote 4-0-1 with Jeffrey Beavan abstaining.***

At this time, Chairman, Paul Levits, held a five minute break for the meeting. The meeting was called back to order at 8:49 P.M.

4. GRAND CENTRAL SANITARY LANDFILL, INC. (PEN ARGYL ROAD, PEN ARGYL, PA 18072) SLATE BELT HEAT RECOVERY CENTER MAJOR SUBDIVISION/LAND DEVELOPMENT PLAN REVIEW- SUBMISSION DATE: FEBRUARY 23, 2018; EXPIRES AUGUST 31, 2018:

Mr. Jim Hecht, Synagro's Project Manager, provided a short presentation for the Planning Commission. Mr. Hecht stated that the applicant, Synagro, is preparing a supplemental application for submission by the end of July, 2018. The comments made were in reference to addressing four variances from the Plainfield Township Zoning Officer's Review Letter. The applicant stated that they believe they have developed a design that is now fully compliant with the Zoning Ordinance. Mr. David Allen from Earth Res showed the revised plan that will be submitted in the near future. There were proposed parking areas that were included as well. Additionally, the 24 foot drive off has been revised to a 25 foot drive off in order to be in compliance with Township regulations. The plan also shows asphalt pavement versus gravel.

In terms of the Access Drive, the plan will show a driveway off of Pen Argyl Road to address access drive issue. The truck traffic and tonnage was previously an issue going through Pen Argyl Borough. Mr. Allen noted that the trucks will be coming from northbound and southbound. Commissioner, Terry Kleintop, questioned whether the hauling trucks will be using SR 191. Mr. Allen stated the trucks would be using 191 for access to the facility. Commissioner, Robin Dingle, added that the travel plan for the trucks will be hazardous for them because of the bad intersections in the area. The last change is the 50 foot setback and the applicant changed the sedimentation basin modifications. The applicant will also supply the Township with an Erosion and Sedimentation Plan. The monitoring points at the swales and other areas will be also provided. Mr. Kleintop asked the applicant if the new submitted plan still shows some of the basin being filled in. Mr. Allen added that there will be modifications made to the existing NPDES Permit and they will also be applying for a new one. Solicitor for Pen Argyl Borough, Mr. Pete Layman, asked if there would be any issues with having Pen Argyl Borough at the scoping meeting. There were no issues with this request. Resident, Don Moore, questioned whether the applicant will still need to use Township Property for access which includes the Recreation Trail. Mr. Allen stated that none of the Township Property will be used at this time. Resident, Millie Bean, noted the amount of accidents in the area and she has a serious concern of the dangers and conditions of the roads. Attorney, Matthew Goodrich, stated that he will have a traffic expert study the areas and address her points of concern.

The Deputy Director of the Delaware Riverkeeper Network, Ms. Tracy Carluccio, submitted a letter to the Planning Commission at the meeting. Attached to her letter was a letter from an Engineer that she had look into the water body on the proposed site. She noted that the engineer stated that this does in fact meet the definition of a water body. Attorney Goodrich requested that he and his client have the opportunity to review the letter and respond at a later date. Ms. Carluccio stated that she had many questions which included but are not limited to the following:

1. Whether the applicant will be providing a 100 foot buffer.
2. Whether they have the elevation calculations of the current surface water.
3. The proposed final grades.
4. Whether the water body will be regularly pumped.
5. Where the water will be going to or from the basin.
6. Whether the water and sedimentation be tested and monitored.
7. Whether groundwater and base flow and a possible ground water study.
8. How will the sediment that is currently in the pond be tested.
9. Whether the applicant will be seeking to get a permit from the DEP.
10. Provide water surface elevations.
11. Whether the fill will be above ground water.
12. All stormwater calculations.
13. Wants to know location of truck washing plat.
14. The kind of research that has been done on the products that will be sent to this facility.

Ms. Carluccio stated to the Planning Commission that all questions will be submitted. She stated that she was very concerned that there was little detail on the application submission.

Mr. Thomas Pullar, P.E. of EarthRes Group noted that they are currently working on the DEP and NPDES Permits. He added that the sediment basin #2 is already existing for Grand Central Sanitary Landfill and is exempt from Act 105 permitting. Mr. Pullar has spoken to representatives at the DEP and the Clean Water Program and he stated that the applicant will be covered under Solid Waste Permit. The NPDES Permit will be addressed and the containment will be managed and shown on the plan. Commissioner, Robin Dingle, questioned if there was any other research, modeling, or testing evaluation that has been done on the applicant's behalf. Mr. Pullar stated this has not been done at this time. Commissioner, Terry Kleintop, questioned if there is a letter from the DEP which specifically states that the applicant is fully exempt from Act 105. No specific document exists at this time. Mr. Pullar stated that the DEP will make determinations on all items addressed on the permit.

Township Manager, Tom Petrucci, reviewed a section of the Plainfield Township Zoning Review letter dated March 20, 2018. Pages 1-5 were read aloud by Mr. Petrucci.

***The following text was read aloud by Mr. Petrucci:***

The following materials were received and reviewed for the above-referenced matter:

- Preliminary Land Development Application and Checklist, received February 23, 2018
- Project Narrative, dated February 23, 2018
- Preliminary Land Development Plan set, dated February 6, 2018
- Trucking Turning Exhibits, dated February 6, 2018
- Stormwater Management Report and calculations
- February 20, 2018 Owner Acknowledgement from GCSL
- Steep Slope Narrative dated May 2017, last revised September, 2017
- 1997 Recorded Easement Agreement
- 2007 DEP approval of the land use for “Developed Water Resource” for the reclaimed Doney II Quarry
- Haarslev Equipment Brochure

**I. Additional Requirements for Material Separation Facility (Slate Belt Heat Recovery Center), §27-316 (2) (II)**

The Project Narrative dated February 23, 2018 confirms the proposed use as a “Material Separation Facility,” which is a land use specifically defined within §27-202 of the Code of Ordinances of Plainfield Township. The Land Development Plans show a combination of two principal uses permitted by right and their accessory uses. The Zoning Officer is in agreement that the *combination* (emphasis added) of the two principal uses and their accessory uses are permitted by right in the Solid Waste Processing and Disposal District (SW) on the same lot, as per §27-319 (2). The two uses are as follows:

- Material Separation Facility (Proposed), §27-319 (2) (C);
- Refuse Derived Fuel Facility (Existing), §27-319 (2) (F).

It is the determination of the Zoning Officer that the proposed use of the Slate Belt Heat Recovery Center is a Material Separation Facility, which is a Permitted-by-Right Use within the Solid Waste Processing and Disposal District (SW) only. The Material Separation Facility has additional requirements for the Permitted-by-Right Use as set forth in §27-316 (2) (II) as follows:

- 1) The site shall contain at least three (3) acres for any facility with a capacity to treat or dispose of up to 300 tons of solid waste per day. The size of the site shall*

*be increased by two additional acres of land for each additional capacity of 100 tons per day, or fraction thereof.*

- 2) *Entrances and exits to the facility shall be separated and clearly designated; entrances and exits shall each be at least 30 feet in width and shall be located along either an arterial or collector road.*
- 3) *All access roads shall be paved.*
- 4) *Measures and procedures to prevent and minimize fire hazard shall be established and practiced at the site or facility. A report describing these procedures shall be provided to the Township.*
- 5) *Each facility shall be operated and maintained in such a manner as to minimize health hazards, odors, dust, noise, environmental degradation, unsightliness, the attraction, harborage or breeding of insects, rodents or vectors and to eliminate conditions which create safety hazards or impose an undue burden upon the Township or its municipal services infrastructure.*
- 6) *The operation of the facility shall comply with all applicable State and Federal regulations.*
- 7) *The facility shall comply with the performance standards in this Chapter (Part 5).*

In reviewing the additional requirements for the Permitted-by-Right Use as set forth in Section §27-316 (2) (II) as listed above, the Zoning Officer offers the following comments in **bold**:

- 1) *The site shall contain at least three (3) acres for any facility with a capacity to treat or dispose of up to 300 tons of solid waste per day. The size of the site shall be increased by two additional acres of land for each additional capacity of 100 tons per day, or fraction thereof.*

**Written confirmation from the Pennsylvania Department of Environmental Protection (PA DEP) is required in order to determine that the proposed Material Separation Facility use is consistent with the permitted post-mining use of “Developed Water Resources” as identified by the Applicant via a letter from a PA DEP official dated December 17, 2007. The site already has a post-mining designated use, and written confirmation is required that the permitted post-mining use may be combined with the Material Separation Facility use.**

**§27-316 (2) (II) (1) requires an additional two (2) acres of land for each one hundred (100) tons of waste per day. The Applicant has indicated that they will provide annual waste tonnage reports to the Township during the operational life of the facility in order to ensure ongoing compliance with this Section. Because the proposed lot size is now 12.05 acres and there are two uses on the proposed lot, the**

**Zoning Officer is requiring that the Slate Belt Heat Recovery Center lease line be marked on the plan to delineate the area specifically that is part of the Slate Belt Heat Recovery Center/Material Separation Facility and what is identified for use by the Green Knight Landfill Gas-to-Energy plant- the Refuse Derived Fuel Facility, which is a separate use requiring a minimum of 3 acres of lot area. The two uses are currently proposed to use land on the lot that is shared by both controlling entities (Synagro Technologies, Inc. and Green Knight Economic Development Corporation), so it is necessary for the Applicant to clearly identify which land areas are to be reserved for each use.**

**In addition, a covenant shall be placed on the recorded Land Development Plan which limits the capacity of the Applicant to treat or dispose waste up to 400 tons of waste per day. The purpose of both of these requests is to eliminate any future ambiguity as to the number of tons of waste being treated/disposed in the future. For example, a 12.05 acre lot that is dedicated solely to the Material Separation Facility use would permit the Applicant to treat/dispose of up to 750 tons per day. There should not be any future ambiguity on the part of the Township or the Applicant with respect to how many tons of waste the Applicant wishes to treat/dispose of per day now or in the future.**

- 2) Entrances and exits to the facility shall be separated and clearly designated; entrances and exits shall each be at least 30 feet in width and shall be located along either an arterial or collector road.*

**Pursuant to the requirements set forth in §27-316 (2) (II) (2), the proposed entrance and exit to the facility are not located along either an Arterial or Collector road. The proposed entrance and exit to the facility is located along an interior access drive “haul road” of the Grand Central Sanitary Landfill. It is the determination of the Zoning Officer that the conditions and provisions associated with this additional requirement are not being met.**

**Variance Required (#1): A Variance is required from Section §27-316 (2) (II) (2) of the Code of Ordinances of Plainfield Township due to the fact that the proposed entrance and exit to the facility are not located along either an arterial or collector road.**

- 3) All access roads shall be paved.*

**The proposed driveway, access roads, and loading areas are shown on the plans as areas to be paved.**

- 4) Measures and procedures to prevent and minimize fire hazard shall be established and practiced at the site or facility. A report describing these procedures shall be provided to the Township.*

**The Applicant has indicated they will comply with the ordinance and with all applicable building and fire codes. A written report demonstrating facility compliance with the applicable codes and standards will be submitted by the applicant as part of the building permit submission. The report should be to the satisfaction of the Fire Department Chief, the Zoning Officer, the Township Building Code Official, and the Emergency Management Coordinator.**

- 5) *Each facility shall be operated and maintained in such a manner as to minimize health hazards, odors, dust, noise, environmental degradation, unsightliness, the attraction, harborage or breeding of insects, rodents or vectors and to eliminate conditions which create safety hazards or impose an undue burden upon the Township or its municipal services infrastructure.*

**The Applicant has indicated that evidence of all required state and federal permits required for operation and the results of all required compliance reviews and notifications to regulatory agencies will be submitted to Plainfield Township at the time of the building permit application submission. The permits required for the Slate Belt Heat Recovery Center are identified by the Applicant as follows:**

- **PA DEP GCSL Minor Modification**
- **PA DEP Solid Waste General Permit for Synagro**
- **PA DEP Water Quality Permit for construction activities**
- **PA DEP Individual NPDES Permit for Synagro Industrial Activities (Stormwater runoff from Synagro operations area, including discharge monitoring)**
- **PA DEP Green Knight Air Permit Request for Determination**
- **PA DEP Synagro Air Quality Permit**

**It is the recommendation of the Zoning Officer to the Plainfield Township Board of Supervisors that as a condition of any future approval of this proposed use and the occupancy of any proposed structure associated with this use, that evidence that all performance standards are complied with be provided via certification of tests by appropriate government agencies, or be recognized testing laboratories (with the costs to be borne by the applicant), pursuant to §27-410 (Performance and Traffic Impact Requirements) of the Code of Ordinances of Plainfield Township.**

**Under the authority of §27-410, the Township is requesting the performance standards data of similar facilities and the specific methods employed by the Applicant to operate existing similar facilities in such a manner as to minimize health hazards, odors, dust, noise, environmental degradation, unsightliness, the attraction, harborage or breeding of insects, rodents or vectors and to eliminate conditions which create safety hazards or impose an undue burden upon the Township or its municipal services infrastructure.**

**Under the authority of §27-410, the Township will also require performance data and the specific methods as to how the Applicant proposes to operate the proposed**

**facility in such a manner as to minimize health hazards, odors, dust, noise, environmental degradation, unsightliness, the attraction, harborage or breeding of insects, rodents or vectors and to eliminate conditions which create safety hazards or impose an undue burden upon the Township or its municipal services infrastructure.**

**Once the facility is operational, the Township will also require performance data and the specific methods as to how the Applicant is operating the facility in such a manner as to minimize health hazards, odors, dust, noise, environmental degradation, unsightliness, the attraction, harborage or breeding of insects, rodents or vectors and to eliminate conditions which create safety hazards or impose an undue burden upon the Township or its municipal services infrastructure, pursuant §27-410.**

*6) The operation of the facility shall comply with all applicable State and Federal regulations.*

**The Zoning Officer cannot make a final determination at this time as to whether the operation of the facility complies with all applicable State and Federal regulations.**

At this time, Mr. Petrucci concluded this section of the Zoning Review Letter. The remaining content will be addressed at the next Planning Commission meeting.

**ACTION: Motion was made by Robert Simpson and second by Terry Kleintop to table the Grand Central Sanitary Landfill, Inc. and Slate Belt Heat Recovery Center Major Subdivision/Land Development Plan Review.**

A resident questioned Chairman, Paul Levits, whether the Planning Commission would specifically hold a meeting where the residents can ask questions and speak only. Mr. Levits stated that questions of residents will not be ignored.

***Prior to the vote, Chairman, Paul Levits, asked if there were any comments from the governing body or the public. Motion approved. Vote 4-0-1 with Jeffrey Beavan abstaining.***

**ADJOURNMENT:**

Having no further business to come before the Planning Commission, motion was made by Terry Kleintop and seconded by Robin Dingle to adjourn the meeting. Motion approved. Vote 5-0.

The meeting adjourned at 10:04 P.M.

Respectfully submitted,

Paige Gerstenberg  
Planning Commission, Secretary  
Plainfield Township