

**PLAINFIELD TOWNSHIP  
PLANNING COMMISSION SPECIAL MEETING  
SEPTEMBER 6, 2018**

A special meeting of the Plainfield Township Planning Commission was held on Thursday, September 6th, 2018 at the Wind Gap Middle School, 1620 Teels Road, Pen Argyl, PA 18072.

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, and Terry Kleintop.

Also present were Secretary, Paige Gerstenberg, Township Manager, Tom Petrucci, Zoning Officer, John Lezoche, Solicitor, David Backenstoe, Esq., Special Environmental Legal Counsel, John Embick, Esq., Special Environmental Engineering Consultant, Michael Brunamonti, P.E., Alternate Township Engineer, Farley Fry, P.E., and Alternate Township Engineer, Robert Lynn, P.E.

**APPROVAL OF MINUTES:**

No minutes were to be approved at this time.

**NEW BUSINESS:**

**1. GRAND CENTRAL SANITARY LANDFILL, INC. (PEN ARGYL ROAD, PEN ARGYL, PA 18072) SLATE BELT HEAT RECOVERY CENTER PROPOSED LAND DEVELOPMENT PLAN:**

With regard to the review letter from Mr. Jason Smith, Attorney Elizabeth Witmer requested to have the opportunity to respond to the comments. Chairman, Paul Levits, stated that because this review letter was recently given to the Planning Commission, there was not ample time to review the review letter.

Mr. Jason Smith, Senior Scientist from Hanover Engineering, read aloud the review letter dated August 6, 2018. In reference to #7 of the review letter, Commissioner, Robin Dingle, requested Mr. Smith to be more specific with the requirements. Mr. Smith stated that he is unable to elaborate on #7 at this point. Mr. Smith will provide a more detailed response for the Commissioners at the next meeting for Synagro.

Commissioner, Terry Kleintop, questioned Mr. Smith on whether he reviewed the plans and the blue prints which detailed the conversion of the stormwater basin located on the

property. Mr. Smith stated that he did not formally review the plans, however, he is fully aware of them. Attorney Witmer stated that these documents pertaining to the basin were included with the original submission and the resubmission within Appendix E. Commissioner, Robin Dingle, stated that the plans submitted did not specifically provide detail on the stormwater basin. Ms. Dingle could only identify that the basin is labeled on the plans as a “sedimentation basin”. Elaboration on the basin was not provided. Township Manager, Tom Petrucci, stated that Plainfield Township received correspondence from the DEP (Department of Environmental Protection) in regards to the permit for the basin. A portion of this basin will also be reviewed by the Conservation District. Mr. Kleintop added that the new changes proposed for the stormwater basin may alter the impact of the surrounding areas dramatically from stormwater and could potentially cause major issues.

Attorney Witmer stated that the basin itself is part of Grand Central’s General Permit, which the basin was first permitted in 2008. The proposed minor modifications were included with the DEP Waste Management Program.

The applicant, Synagro Technologies, applied for all necessary permits and three additional permits which included the General Permit, NPDES Permit, and Plan Approval for Air Quality Regulations. Ms. Witmer stated that the submittals were provided to Plainfield Township on August 15, 2018 which addresses all Zoning issues. Submittals on August 31, 2018 addresses the Hanover Review Letters.

Mr. Jason Smith, Senior Scientist from Hanover Engineering, continued to read aloud the review letter dated August 6, 2018. The Hanover Engineering review letter is hereby incorporated for reference in these minutes as though it were more fully set forth at length as “Exhibit A”. Mr. Smith stated that Sedimentation Basin #2 on the property is a body of water of the Commonwealth. Mr. Smith added that the project will be in full compliance with all State regulations in reference to Stormwater Basin #2.

In reference to number two of the review letter, Commissioner, Robin Dingle, questioned the Chapter 102 requirements. She noted that after reviewing the plans, no information was provided on the newest submissions in reference to the Chapter 102 requirements for Sedimentation Basin #2. Until those requirements have been reviewed and met, Ms. Dingle stated that the Planning Commission cannot state that the applicant has met all of the requirements for the approval of the proposed Land Development Plan. Mr. Dave Allen stated that with the newest submission, Appendix E included the original permit application from 2007 for the basin. Ms. Dingle questioned whether there are any maintenance records for the sedimentation basin. The applicant stated that they can review Waste Management’s records of the maintenance of Sedimentation Basin #2, however, the importance of this issue lies within the regulatory definition of the sedimentation basin. Additionally, Mr. Allen stated that the DEP has confirmed that this

is a Sedimentation Basin and the DEP has been regulating this body of water as a Sedimentation Basin.

Mr. Scott Perin from Waste Management stated that the facility, in terms of water quality, is inspected annually and is also inspected monthly for all Stormwater Basins. Waste Management has the records for such inspections on file and can be requested for review at any time.

Vice Chairman, Robert Simpson, noted that on the first page of the supplemental Hanover Review Letter, Mr. Smith stated that the stormwater basin would be in full compliance. Mr. Simpson added that the engineer will need to review that information and determine whether or not the basin is in compliance at the time of review. Currently, the application for the basin is pending final approval with the DEP. Mr. Simpson questioned Mr. Smith on whether he has reviewed the application that has been submitted by the applicant to the DEP. Mr. Smith stated that he has reviewed the application, and the comments were generated in result to the application submission to the DEP by the applicant.

Mr. Simpson also asked whether the stormwater runoff that will be generated will be from the parking lot and sheet flow only and if all other areas will be divided and protected off. Mr. Smith stated that this is the only form of stormwater runoff that will be generated and the question still stands on whether or not this Stormwater Basin is a body of water of the United States. The applicant and members of the Plainfield Township Planning Commission are still not in agreement on this matter. A formal determination will need to be provided. Mr. Simpson questioned the applicant on their position in reference to the requirements put forth on line item #3 of the review letter. Attorney Witmer stated that these requirements are not necessary. Mr. Jason Smith believes these requirements are necessary to meet.

In reference to 4(a) of the supplemental review letter, it was recommended by Mr. Smith that a professional be retained in order to delineate any wetlands located on the property. Attorney Witmer noted that there were no wetlands found within the property boundary. Additionally, there were no bog turtles found on the property. Mr. Simpson questioned Attorney Witmer on whether the applicant would like the opinion of the Planning Commission on whether the jurisdictional determination will be required. Ms. Witmer requested that a full list of conditions be provided together at the time of the Final Plan submission review.

Ms. Dingle also requested that the location of Waltz Creek be shown on the plan with respect to the riparian buffer. The applicant will provide this information on the plan.

Mr. Smith then read through #6 and #7 of the review letter. Mr. Kleintop questioned what the distance would be from the proposed facility to the old quarry located on the property. The applicant stated it will be anywhere from 5 feet to 10 feet from proposed building and now that the quarry has been filled, it is now approximately 45 feet to 50 feet away from the facility. Mr. Simpson questioned whether Sedimentation Basin #2 will be filled and whether the capacity of the basin will be reduced. Mr. Dave Allen stated that they will be filling in the second basin and reducing its capacity. Mr. Allen added that the applicant intends to fill the basin but it will still be functional in terms of its capacity of holding water and dewatering. The current buffer measurements include the swales that will be put in on the property. Attorney Witmer added that Waste Management's permit was modified in order to reshape the sedimentation basin further. The current stormwater basin will be modified.

Mr. Simpson questioned Mr. Jason Smith on what his opinion is as to who regulates the filling of the sedimentation basin. Mr. Smith stated that the Township will regulate the fill going into the sedimentation basin. Attorney Witmer stated that a 50 foot buffer was also added to the plan. Mr. Simpson stated that filling in the pond is the only way to meet the 50 foot buffer requirement. Mr. Terry Kleintop added that if this body of water is truly a sedimentation basin and accumulates stormwater, then the applicant will need an outflow. The applicant stated that there were no changes made to the sedimentation basin that will hinder the ability and capacity. The Planning Commission stated concerns with filling in the sedimentation basin. Filling in this basin will provide the required 50 foot setback per Township regulations but without filling in the sedimentation basin, the applicant does not meet the 50 foot setback requirement.

Chairman, Paul Levits, stated that the applicant will be in contact with Plainfield Township's Engineer in order to discuss the Stormwater Basin issue further.

Attorney Witmer provided a closing statement to the Planning Commission. Attorney Witmer stated that the applicant will speak with the Engineer in order to evaluate whether the applicant and Plainfield Township can come to a consensus on the sedimentation basin issue. The entry way and exit into/out of the facility is now showing a low volume driveway onto Pen Argyl Road but this will not serve as the main entrance to the facility. The main entrance to the facility will be off of S.R. 512. A traffic study was also conducted to support the new changes on the plan. There are two variances with respect to Zoning that may be a potential issue for the applicant but this matter will be discussed in more depth at the next meeting.

**PUBLIC COMMENT:**

**Chris Zerta**- Mr. Zerta stated that he is new to the community. He has heard a few stories including children choking from the smell/gases from the dump. He is concerned about

the impacts that Waste Management will have on the future of this area and the proposed facility for Synagro. He noted that he, along with other residents, noticed some of the trucks from Waste Management leaking on the roads within Plainfield Township and Pen Argyl Borough. He is very concerned with this issue as the two facilities have much in common.

**Don Moore**- Mr. Moore questioned whether there is a type of engineering study that shows the interaction between aquifer in the pond and the water flow into nearby creeks. Attorney Witmer stated to Mr. Moore that the studies that were conducted and the comment review letters speak for themselves. Mr. Moore also asked whether the comments about sheath flow are only in reference to the parking lot area off to the side. Mr. Tom Pullar stated that it is the lot that is located at the building. The stormwater runoff is projected to go through the parking lot, into the vegetation, and then into Sedimentation Basin #2. Mr. Moore stated that he is very concerned since it seems as though there is no potential for issues or emergencies to occur at the facility based on the applicant's responses during the meetings.

**Jerry Lennon**- Mr. Lennon, questioned what happened when the previous owner of the property went bankrupt. He noted that he could not locate the transfer of deed documents. Mr. Lennon also mentioned his concerns with the walking trail within Plainfield Township. He added that he could only identify a one inch base throughout the trail. In reference to the stormwater runoff at the facility, Mr. Lennon also found a lot of erosion in the area and no piping was present. He added that it has become very slippery and dangerous. Mr. Lennon stated that the walking trail has dangerous characteristics because it is being converted back to nature.

**Attorney, Peter Layman**- Attorney Layman noted that he is appreciative of the thorough review of this submission by the Plainfield Township Planning Commission. He added that all of the issues that were brought up are very important. Attorney Layman stated that what is paramount to Pen Argyl is the nuisance issues that comes along with this type of facility including odors, vectors, etc. Attorney Layman requested that the Planning Commission pay special attention to the nuisance issue when it comes to that point in the review. He added that those issues are the ones that will most effect the residents of Pen Argyl.

**Patty Williams**- Ms. Williams requested copies of the review letters that were discussed at the meeting because she could not hear what was being read aloud. Ms. Williams noted that she has a lot of concerns with this submission. She stated that she lives within a 2 mile radius of the proposed site. She has simple concerns such as the water and air quality. Additionally, she mentioned traffic issues and questioned the impact the truck traffic from the site would have on school buses passing through the area and on the roads that the trucks will travel on. Ms. Williams added that she has a hard time understanding the technicalities of the data and information provided by the applicant and the Township.

**Justin Kertac**- Mr. Kertac questioned the escrow account that the applicant has with Plainfield Township and stated that he would like to make sure that all reviews by Plainfield Township/on behalf of the Township are strictly being paid for by the applicant only. Solicitor, David Backenstoe, stated that the applicant is paying for all reviews on behalf of the Township. Mr. Kertac has many issues in reference to the nuisances that will be created if this facility is put within Plainfield Township.

Chairman, Paul Levits, noted that the engineers with both parties will be communicating in order to come to an agreement of various matters. At the next meeting, audio will also be attempted to be improved.

**OLD BUSINESS:**

There was no previous business to be addressed.

**ADJOURNMENT:**

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

The meeting adjourned at 9:24 P.M.

Respectfully submitted,

Paige Gerstenberg  
Planning Commission, Secretary  
Plainfield Township