

**PLAINFIELD TOWNSHIP  
PLANNING COMMISSION SPECIAL MEETING  
DECEMBER 10, 2018**

A special meeting of the Plainfield Township Planning Commission was held on Monday, December 10th, 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, and Terry Kleintop. Commissioner, Jeffrey Beavan, was excused from the meeting.

Also present were Planning Commission Secretary, Paige Gerstenberg, Township Manager/Alternate Zoning Officer, Tom Petrucci, Solicitor, David Backenstoe, Esq., Special Environmental Legal Counsel, John Embick, Esq., and Alternate Township Engineer, Farley Fry, P.E.

**APPROVAL OF MINUTES:**

No minutes were to be approved at this time.

**TIME EXTENSIONS:**

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

An extension of time was requested by the applicant to extend the project review through February 28, 2019.

**ACTION: Motion was made by Robert Simpson and seconded by Robin Dingle to approve the extension of time through February 28, 2019 for the Grand Central Sanitary Landfill, Inc. Slate Belt Heat Recovery Center Proposed 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 4-0.**

**NEW BUSINESS:**

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

Attorney Elizabeth Witmer and Attorney Mathew Goodrich were in attendance on behalf of the applicant. Ms. Witmer stated that an Extension of Time will be granted through February 28, 2019 with the anticipation that the applicant would provide a consolidated response including all of the notes taken at each of the meetings thus far by January 21, 2019. Attorney Witmer noted that the applicant has received comments regarding the Project Performance Review and Compliance Report this past Wednesday, December 5, 2018. All comments will be consolidated and condensed to cover any and all concerns/requests by the Planning Commission in time for the January 21, 2019 Planning Commission meeting. Both issues raised by the Department of Environmental Protection (DEP) and the Plainfield Township Planning Commission will be addressed together.

On behalf of Plainfield Township, Attorney David Backenstoe, stated that the main objective for tonight's meeting is to review the supplemental Plainfield Township Zoning Review letter dated March 20, 2018, to review the most recent review letter provided by Hanover Engineering dated August 31, 2018, and to possibly discuss the review letter provided by Ms. Trudy Johnston on behalf of Material Matters, Inc. Township Manager, Tom Petrucci, read over the Supplemental Zoning Review Letter dated March 20, 2018 verbatim. Mr. Petrucci reviewed the beginning of the Zoning Review letter in regards to the first variance that will be required to be obtained by the applicant. Mr. Petrucci briefly discussed the second variance that would be required. Ms. Witmer stated that the applicant will have a final packet that will be submitted by January 1<sup>st</sup>, 2019 which will address their compliance with the Zoning Ordinance. Ms. Witmer added that these two ordinances will no longer be required based on their responses in regards to compliance.

Commissioner, Robin Dingle, questioned the applicant on their responses to the review letter. Ms. Dingle added that aside from an engineering review, an environmental review should also be conducted in order to cover all grounds of this application submission. Mr. Tom Pullar added that there has been a large amount of information going back and forth between different entities including the DEP. In regards to the Supplemental Zoning Review Letter, the applicant copied the Township on various DEP applications. The applicant stated that those copies were in response to the comment letter regarding zoning, although a formal response to the Planning Commission directly was not provided. The applicant added that they are still awaiting a response letter from the DEP.

Ms. Witmer stated that she feels as though most comments have been addressed at this point in time and will conduct studies that are required by the DEP and nothing further than the DEP's requirements. Commissioner, Robert Simpson, stated that the applicant

did not provide information on the basin with respect to the groundwater. This information was previously requested by the Planning Commission but has not been provided to date. Mr. Simpson added that the applicant must address all issues as stated by the Planning Commission in addition to the DEP as the DEP is a completely separate entity from the Plainfield Township Planning Commission. Attorney Witmer added that the applicant will only be addressing and satisfying the requirements that are specific to the SALDO and Zoning Ordinance.

Attorney Witmer stated that the applicant submitted a packet which included the hazard mitigation plan for the proposed project. She added that no comments or requests were received from the Planning Commission after it was submitted. Discrepancies on the measurements of Sedimentation Basin #2 were also discussed at great length. Mr. Kleintop added that there was a substantial amount of detailed information on the basin that was not provided to the Planning Commission including the technique being chosen to fill the basin and what materials will be used. Commissioner, Robin Dingle, questioned whether the absence of the Planning Commission's comments would be accepted as approval of the submission materials provided by the applicant. Solicitor Backenstoe stated that the absence of comments cannot be assumed as approval of those materials. Attorney Witmer noted that the final plan submission will be provided to the Township on or before January 21, 2019. Solicitor Backenstoe added that the Planning Commission will need to determine whether all required criteria has been met. The applicant will provide one last submission which they believe will cover all information up to this point. Transcripts from each meeting will also be provided to the Planning Commission.

Ms. Pam Racey explained that the sedimentation basin has the same function currently as it has for many years. Mr. Simpson questioned about the groundwater and potential runoff from the facility. Attorney Witmer stated such information will be provided in the final submission. Commissioner, Terry Kleintop, discussed a quarry located within Pen Argyl that has had many water quality issues. Pollution is a very serious and major complication that can happen with a facility such as Synagro. Mr. Kleintop added that if such complications can happen to the quarry in Pen Argyl, it can also happen at other quarries within Plainfield Township when surrounded by possible pollutants.

Hanover Engineering Representative, Mr. Farley Fry, read the review letter dated August 31, 2018 verbatim. Mr. Fry memorialized all of the documents that were submitted by the applicant that were addressed and requested multiple areas of further study or clarification. The second portion of the review letter addressed zoning comments regarding Plainfield Township's Zoning Ordinance. Multiple comments from the review letter were not addressed by the applicant at this time including the Subdivision and Land Development Ordinance and the Zoning Ordinance. Specifically with the Zoning section

review, a list of all property owners within 200 feet of the proposed facility has not been provided to the Township to date. Attorney Witmer reiterated to Mr. Fry that all comments will be addressed within the final submission.

Chairman, Paul Levits, requested to have a 5 minute recess at this time. The meeting resumed at 8:57 P.M.

Ms. Trudy Johnston from Material Matters, Inc provided an overview since September 12, 2018. She noted that the applicant must operate the facility in a manner that does not pose threat to the health, safety and welfare of residents in the area. A twelve (12) page comment letter by Ms. Johnston was submitted to the applicant on September 5, 2018. Within that letter, an outline was provided about what a plan should look like. Fire and explosion was not adequately addressed on the submitted plan. Potential issues such as the thermal dryers for fire and explosion was also mentioned. She added that the Township and the applicant are currently working through all of the details on the submitted plan. Mr. Kleintop agreed that this topic with fire and explosion was not covered adequately. He also requested that a list of all plants that manufacture pellets be provided as well. Chairman, Paul Levits questioned about the testing requirements in other states of all other Synagro facilities within the United States. Ms. Racey noted that there are facilities in Pennsylvania, New Jersey, Connecticut, Maryland, California, and Hawaii and that Federal Government regulations and the EPA have much higher/more strict requirements that go well above state regulations and the DEP in any state.

Attorney Witmer stated that the Township will be provided with the newest submission for the proposed facility. The final proposal will include any conditions along with the final land construction and operations. Attorney Witmer will arrange a meeting with Plainfield Township prior to January 11, 2019 in order to discuss all outstanding matters. Ms. Racey stated that a lot of information had been cross referenced and based on the volume of material, it made it very confusing for all data and information to be reviewed. Solicitor Backenstoe noted that it is nearly impossible to cross reference comment letters on behalf of Plainfield Township and the information provided on applications submitted by the applicants to the DEP. This is not something that the Planning Commission nor the Engineers would conduct. Solicitor Backenstoe requested a condensed letter provided by the applicant to address all of the comments and concerns.

**PUBLIC COMMENT:**

Pete Layman- Mr. Layman noted that a lot of review has already been done. Until the new plans and responses to all of the comments and review letters are provided, he has no further comments.

Howard Klein- Mr. Klein stated that he is confused on why the applicant does not believe that they need any variances. He questioned what is going on with those variances. Solicitor Backenstoe stated that the Township believes the applicant is required to obtain variances however, the applicant, to his understanding, does not feel that they need to appear in front of the Zoning Hearing Board. Solicitor Backenstoe added that there are two issues that the Zoning Officer has identified which pertain to entrances and setbacks of the property. Attorney Witmer noted that the Zoning Officer originally started off with 4 variances that were needed and there are currently only two required. Mr. Klein stated that public comment does not matter since the applicant is only going by the requirements set by the DEP. He added that he attended Harrisburg for a meeting and that the comments by Ms. Trudy Johnston, who is representing the Township, seemed to be very “pro-sludge”. He believes it would be in Plainfield Township’s best interest to get a second opinion.

Gerald Lennon- Mr. Lennon asked to consider a PA Legislation Law that states that citizens have the right to clean air, clean water, and clean public natural resources. Mr. Lennon provided written testimony to the Planning Commission and the applicant at the meeting regarding his comments.

Tom Carlo- Mr. Carlo provided a brief article with respect to the EPA. He has major concerns with the EPA and not being thorough enough on their review of biosolids and other related applications. He added that he is concerned about where the water intakes and outtakes will be from the sedimentation basin. Mr. Carlo also questioned the time frame for how long it will take for the fill to settle prior to construction of the facility within the basin that is being filled. The applicant stated that a time frame is still yet to be determined. There are a few different scenarios that have yet to be established.

Mr. Carlo also questioned about the trucks for the facility and whether they will be airtight. Ms. Racey stated that the trucks will be airtight and that the trucks will not be filled all the way. Tarps will cover the top of the trucks. Trucks will be washed off on site with water to remove any debris or remaining material from the truck. Ms. Racey stated that there will not be any soap within the water for cleaning and that the whole purpose of washing the material is to make sure that no material leaves the site. Continuous monitoring will take place for the trucks coming in and leaving the facility. Mr. Tom Pullar from EarthRes added that any remnants of material at the facility will be contained by using a street sweeper which will then be placed into the landfill. Mr. Carlos also questioned whether the facility would be accepting slaughter house sludge. Ms. Racey noted that they will not be in taking any industrial waste and will only be accepting municipal, city, and county waste.

Jason Huratiak- Mr. Huratiak noted that the DEP hearing with Synagro was a very lengthy hearing. He does not foresee any positive outcomes from the hearing that was held. He also questioned how the sedimentation basin #2 has already impacted local waters and what baseline is used for measurement. He is very concerned about the smell when the Township already has a nuisance issue because of the Landfill. Mr. Huratiak added that the Landfill has not had violations in the last 5 years but have received multiple violations from the DEP in the past month. He would like the Planning Commission to deny the application.

Millie Beahn- Mrs. Beahn referenced an article that she saw online. She explained that there were homeowners in California that built a new home on land. She added that an engineering firm approached the owners and wanted to have a non-nuisance human composting waste facility that is indoors next to their property. There were many odor issues and the property value dropped. They had a hard time selling their home and eventually moved out without selling the home. She explained that this will happen to many residents in our area if this facility were to be placed in the Township. She has many other issues with Synagro as well. She added that the odors from the Landfill are horrible in the area.

John Kmetz- Mr. Kmetz questioned Ms. Racey on PFAS and what levels of PFAS will be in the material at the proposed facility. Ms. Racey stated that not much is currently known about this material. She added that it is a compound that came from treating things such as furniture that made the product fire retardant. Since then, the industry has changed the formulation. Scientists are still investigating whether PFAS has any impacts to the environment. The EPA has not studied PFAS long enough to create regulations for the compound. Mr. Kmetz requested the Planning Commission to educate themselves on the issue with PFAS.

Tess Delesio- Ms. Delesio questioned about the documents that were submitted by the applicant at the Township Building and whether they are a public document. Mr. Petrucci stated that they are in fact a public document and can be viewed at the Township Building at any time. Ms. Delesio noted that she sees a major disconnect between all major entities regarding this application including representatives of the DEP.

Chairman, Paul Levits, questioned about the industrial waste that would not be accepted at the Synagro facility. He questioned whether waste will be taken from other facilities that do accept industrial waste. Ms. Racey noted that it will be accepted from other facilities that do accept industrial waste.

**ACTION: Motion was made by Robert Simpson and seconded by Terry Kleintop to table the Grand Central Sanitary Landfill Slate Belt Heat Recovery Center**

**Proposed Land Development Plan to the next available meeting date. *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.**

**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 4-0.

The meeting adjourned at 10:32 P.M.

Respectfully submitted,

Paige Gerstenberg  
Planning Commission, Secretary  
Plainfield Township