

**PLAINFIELD TOWNSHIP
PLANNING COMMISSION SPECIAL MEETING
FEBRUARY 21, 2019**

A special meeting of the Plainfield Township Planning Commission was held on Thursday, February 21, 2019 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 Secretary, Paige Stefanelli, 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., Alternate Township Engineer, Robert Lynn, P.E. and Special Environmental/Wetlands Consultant, Mr. Jason Smith, PWS.

APPROVAL OF MINUTES:

No minutes were to be approved at this time.

OLD BUSINESS:

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

Chairman, Paul Levits, noted the general order of discussion for the meeting.

Synagro's Project Manager, Mr. Jim Hecht, provided a detailed presentation of the proposed facility and their efforts for a biosolid facility. He added that the company has been working on this project for several years and was one of the first companies to provide recycling services right after the Clean Water Act. This facility would be transforming Class B product to Class A product. Waste heat will also be used as the main source of energy in lieu of burning gas. Mr. Hecht noted that there is another Synagro facility located in Honolulu, Hawaii. Mr. Hecht believes in the project and that it

is a leading edge in environmental practicality. Mr. Hecht stated that this project is necessary for major success in the United States with respect to recycling. Mr. Hecht noted there have been many modifications to their proposed plan throughout the Planning Commission Review process. The applicant has situated the facility in a Zoning District that is acceptable. A Nuisance Mitigation Control Plan has also been developed which covers nuisances such as odors, dust, and noise. Mr. Hecht stated that they have also been working with first responders.

Mr. Hecht also added that there are a lot of “what if” questions. He added that major scientific research has been done. If such operations are deemed as a public health and safety issue, he stated that there will be regulations put in place by the State of Pennsylvania and the United States in order to rectify those issues.

Commissioner, Robin Dingle, questioned how many other Synagro facilities are directly connected to public water wells. No answer was provided at this time.

Synagro’s Attorney, Ms. Elizabeth Witmer, was also in attendance on behalf of Synagro. Ms. Witmer directly addressed the newest Hanover review letter dated February 21, 2019. §22-504-1.A of the Subdivision and Land Development Ordinance will be provided on the final submission by the applicant. Plainfield Township requested certification that the facility will be served by PA American Water and Pen Argyl Municipal Authority as the Township was not notified of this information to date.

Synagro’s Traffic Expert, Mr. Jason Schetler, noted that they are not required to provide sight distance calculations for the access roads, however, if it is requested by the Township, such information can be provided. Roadways in terms of remedies for possible traffic conflicts have not been provided to date nor required, as stated by the applicant.

Ms. Witmer noted there are many comments remaining regarding the stormwater requirements. Members of the Planning Commission noted that their main underlying concern is the environmental impacts that the facility will have. Members stressed that they would like the applicant to ensure that some type of method be put forth in order to evaluate the water discharge and that such discharge will not affect the storm water discharge especially within the stormwater basins. Ms. Dingle added that §22-1003.6 is the specific ordinance being referred to when the Planning Commission discusses current environmental concerns.

Grand Central Sanitary Landfill Representative, Mr. Scott Perin, noted the most recent correspondence with the Department of Environmental Protection (DEP) regarding Sedimentation Basin #2 and the Southern Expansion Application with Grand Central

Sanitary Landfill (GCSL). Representatives of GCSL requested the DEP to reconfirm their findings but such findings were rescinded. The original modification basin was in 2008 from the Southern Expansion Application. Environmental Attorney on behalf of Plainfield Township, Mr. Jack Embick, noted that the letter withdrawn from the PA DEP indicated that the applicant was not entitled to a waiver. The Minor Permit Modification changed the existing permit which there is a process to undergo such change. Mr. Jim Hecht added that the applicant will need to obtain all permits in order to operate the facility and there are no exceptions to that. Commissioner, Terry Kleintop, added that there was a very detailed study done by Synagro in order to obtain DEP approval. A copy of this study was requested by the Planning Commission but was never received.

Attorney Embick noted that in reference to the appeal, he requested counsel for Waste Management to provide any information that is on file and such information has yet to be provided to Attorney Embick to date. He also questioned whether As-Built Plans for the facility were submitted to the Township for review. At this time, that information has not been submitted to the Township as they are not required by the DEP to submit those documents. Commissioner, Robin Dingle, requested As-Built Plans along with all other necessary information be provided to the Township. She added that she has major concerns with the pond, which the applicant is referring to as a sedimentation basin and questions still remain about whether this body of water is still allowed/a permitted use. Attorney Witmer stated that the body of water is currently permitted as a sedimentation basin based on the approved Southern Expansion Permit for Grand Central Sanitary Landfill. Vice Chairman, Robert Simpson, also requested that geohydrology calculations be submitted as well.

Planning Commission Solicitor, David Backenstoe, reiterated that the Planning Commission needs to identify each SALDO section and whether the applicant has met those sections properly with scientific findings. If not, then the Planning Commission needs to identify whether those issues can be conditioned with approval. In order for a plan to be approved, the plan must meet all conditions that are set forth by the Planning Commission. If any section of the SALDO is not met or satisfied, then the plan must be denied. He added that it is very important to follow these rules. Additionally, the Planning Commission members must hear from the hired professionals on which items have been addressed and which are still remaining.

Attorney Embick requested a study that would identify current cumulative and future effects of the environmental aspects of the facility including air, water, scenic and esthetic values which are protected. Attorney Embick recommended that the proposed action could not be approved until this information has been provided. The Planning Commission must receive information on whether some individuals will benefit at the

expense of others. He added that if the applicant will not perform the study requested on behalf of the Planning Commission, the members will not have all necessary info to determine whether the applicant is compliant with all requirements/laws. The applicant has made many statements regarding what the Township is not entitled to request as well as not being required to provide information to the Township based on the Planning Commissions questions/concerns/requests. The studies being requested are for the health, safety and welfare of the Township and its residents. A facility such as this needs to have an insignificant level of impact. Zoning is an important factor with the process of whether to deny or approve the proposed plan. The Township has been continuing to request this information and the Planning Commission may require compliance with the Zoning Ordinance as a condition for approval. Such provisions have yet to be responded to and the applicant has stated that they will not provide the information. Attorney Embick recommends the Planning Commission deny the Land Development Plan with the current information that has been provided to the Township.

In response, Ms. Pam Racey stated that the Township is asking for an EIR and EIS prior to approval. Attorney Witmer noted that the applicant has provided information including a Nuisance Control Plan which goes beyond what is already required. Ms. Dingle requested a hydrogeology and ground water analysis. Mr. Simpson added that a quarry could change characteristics if such quarry is filled which is concerning and would like to know more information on that matter.

Mr. Jason Smith noted he had five (5) comments for tonight's meeting on behalf of Plainfield Township. Sedimentation Basin #2 has been determined to be a water of the Commonwealth. The proposed plan is not currently in compliance because of significant encroachment on the buffer within the Riparian Buffers section of the Subdivision and Land Development Ordinance (SALDO). Attorney Witmer stated that the Sedimentation Basin is currently permitted by the DEP and collects stormwater from the Landfill. Mr. Smith requested that further clarification is provided regarding the permit. Attorney Embick added that the applicant needs to provide information that proves the Sedimentation Basin currently functions and performs the way it is intended to perform. Mr. Smith noted that based on his initial investigation into the body of water, it is his belief that it is a pond. No determination letter of the body of water and its functions have been provided to date. Mr. Smith also stated that this body of water was never installed as a sedimentation basin and is not reminiscent of a Sedimentation Basin per chapter 102 design standards. Attorney Witmer noted that the body of water clearly functions. Chairman, Paul Levits, noted that what the DEP required in 2008 versus 2019 is very different. Ms. Dingle questioned Attorney Witmer on which department permitted the Sedimentation Basin from the DEP. Attorney Witmer stated it was reviewed and approved by the Mining Department of the DEP.

Mr. David Allen noted that all of the information regarding the Sedimentation Basin #2 has been provided to the Township in April of 2018. He added that current functions of the basin have been reviewed, inspected and monitored. There are two distinct issues with the basin which include the function and water quality. Mr. Tom Pullar added that fill has already been placed in the basin based on the construction plan and design. Those records have been provided to the Township. Mr. Kleintop stated that the DEP was never truly involved because the Department of Waste issued this permit. Mr. Pullar added that at one time, there was also an NPDES Outfall that was permitted which is part of water quality control by the DEP. Mr. Pullar stated that the applicant will comply with all demonstrations that the Township is requesting.

Mr. Jason Smith noted that 105 permits/approvals are necessary for the filling of the basin. Additionally, the applicant believes that these permits are not required. Current proposed operations would impact the safety, health and welfare of residents and the environment including Waltz Creek and Little Bushkill Creek. From the proposed area, there are connections from the groundwater to the waterways. Mr. Smith added that the Township is warranted in requesting the DEP to review this issue. Mr. Hecht stated that the applicant will receive an opinion from DEP, as requested. Additional stormwater BMP's may be required as well. Copies of final approvals must be furnished to the Township.

Impact materials within 300 feet of activities and bog turtle habitats must be provided. Mr. Allen noted that this survey has already been completed. Ms. Smith stated that areas within 300 feet were not all identified in the study. Once this matter is further clarified that all areas within 300 feet were studied, then this study will be acceptable. The applicant stated that the changes will be made to account for all areas.

Traffic Engineer on behalf of Plainfield Township, Mr. Peter Terry, stated that both driveways shown on the plan are regulated by PennDOT and not the Township. He is looking forward to the PennDOT Scoping Meeting for this project. The proposed driveway for the facility on Pen Argyl Road does not demonstrate safe access. The study indicates that no traffic will be using that driveway. He said more information will be provided at the scoping meeting with PennDOT and Mr. Terry is specifically looking for clarification on the most recent study as PennDOT has given township different information. He would also like to confirm that the Township will be invited to this meeting.

Mr. Robert Lynn, on behalf of Hanover Engineering, stated that his environmental concerns are general in nature. There is additional information that can be provided such as an emergency contact for emergency services. Mr. Lynn would like to follow up on

the information requested regarding the facility that is located in Honolulu, Hawaii. At that location, there was a regrowth concern and would like additional information on a study that was done in regards to that issue. He noted that the study provided shows high concentration of concerning hazardous materials. There were also odor concerns. With respect to odor control, the applicant has previously stated that the trucks will be fully contained. However, Mr. Lynn requested that the applicant provide information on how all sludge and blends will be regulated at the site. Additionally, information on trucks similar to the ones being proposed for this facility were also requested. Stormwater runoff from the tipping area is shown going to the tank. For the odor control of this process, Mr. Lynn questioned why the applicant would not connect to the odor control system. Ms. Racey will take any questions or comments and address them at a later date.

With respect to the traffic impact study, Mr. Lynn reviewed it based on the layout and identified many issues. Based on the process of truck movement and shipping out waste water from the site, Mr. Lynn foresees many issues with the western end of the site regarding potential halts/line ups of trucks on site. Mr. Lynn questioned what the operating procedures will be as he has major concerns about the layout of internal traffic. Attorney Witmer stated that this information would not be provided to the Township until the Final Land Development Plan submission.

Under the Subdivision and Land Development Ordinance in regards to E&S approval, there are many items that are remaining to be addressed which will resolve concurrently some of the other issues stated within the comment letter by Mr. Lynn. Fencing issues are subject to further discussion between the applicant and Township. Section 501 on the inspection requirement for stormwater facility during construction does not notate that a pre-construction meeting is required. Such note shall be included within the notes on the plan. Additionally, Mr. Lynn noted that there were two grading plans for sedimentation basin #2 which have different grading calculations. Such discrepancy will need to be revised as well.

Mr. Michael Brunamonte from BCM Engineers noted that he has received a letter from EarthRes. Based on the information provided in the letter, Mr. Brunamonte identified the remaining items verbatim from his review letter provided to the Township. The BCM Engineers Review Letter is hereby incorporated for reference in these minutes as though it were more fully set forth at length as "Exhibit A".

Ms. Trudy Johnston, from Material Matters, noted that her assignment was to look at issues regarding the submission in reference to nuisance odors, fire explosion, etc. To date, Ms. Johnston is waiting for a revision of the Nuisance Mitigation Control Plan. She added that there is additional information still required to be submitted to the Township

and that a note should be added to the plan memorializing that such information will be provided. In reference to Zoning, Ms. Johnston wanted to confirm that any odors beyond the property line would be in violation of the Township Code. She stated that the current approach is acceptable, however, the plan submitted has not been confirmed to be acceptable and wanted to make that language clear. All odors on site need to be shown and identified to the Township. Ms. Johnston also had questions regarding the trucks with the gates on site and the construction of the trucks. She wants to ensure that there will be no leakage and that the bed of truck is covered. If the facility will be accepting un-stabilized solids, she would then request contact information for another facility that also accepts un-stabilized solids. The three most important issues are technical odor standards which need to include hydrogen sulfide and ammonia. Information regarding the protection/protocol of odors exceeding the property line are also requested.

Commissioner, Robert Simpson, questioned how an individual would determine odors from the Landfill versus the Synagro facility. Ms. Johnston noted that there would be an odor assessor which will determine what the odor smells like. Once the source has been located, there will be a specific protocol in place that needs to be followed to rectify the issue. Mr. Simpson noted that the Grand Central Sanitary Landfill currently has major odors coming from the site.

Mr. Hecht, in reference to a hydro study, questioned whether there was more specific information that the Planning Commission would like to be tested. Mr. Brunamonte stated that the applicant should have a hydrogeologist contact Mr. Brunamonte's office to discuss the information that is being requested. Ms. Dingle added that she does not want a narrow approach to this issue as there are many avenues to discover and discuss. Additionally, there are many discharges going into sensitive streams within the area. This can create many hazardous impacts. Members of the Planning Commission noted that they would like to have the applicant assess potential impacts as this is important to human health and the environment. Mr. Kleintop added that the Township has put a large sum of funds into Little Bushkill Creek for restoration and other protecting efforts. Mr. Brunamonte provided closing comments noting that the body of water located on the property is a stormwater pond directly connected to groundwater which requires a high level of review to identify potential issues of stormwater including where the truck traffic will be. It was requested that the applicant provide a baseline study that shows the contents in the pond and nearby wells, location of the pond and nearby wells, and where the groundwater will disperse beyond the property line.

Vice Chairman, Robert Simpson, stated that consultants may contact each other directly in order to directly discuss any questions or points of clarification needed from review letters and items being requested.

Chairman, Paul Levits, thanked everyone for attending the meeting. For the next meeting, Mr. Levits ensured the public that they would have an opportunity to speak at the next meeting.

ACTION: Motion was made by Robert Simpson and seconded by Terry Kleintop to table the Grand Central Sanitary Landfill, Inc. Slate Belt Heat Recovery Center Proposed Land Development Plan for 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 Robin Dingle and seconded by Terry Kleintop to adjourn the meeting. Motion approved. Vote 4-0.

The meeting adjourned at 9:55 P.M.

Respectfully submitted,

Paige Stefanelli
Planning Commission, Secretary
Plainfield Township