

**PLAINFIELD TOWNSHIP
PLANNING COMMISSION REGULAR MEETING
APRIL 15, 2019**

A regular meeting of the Plainfield Township Planning Commission was held on Monday, April 15, 2019 at the Plainfield Township Municipal Building located at 6292 Sullivan Trail, Nazareth, PA, 18064.

Chairman, Paul Levits, called the meeting to order at 6:59 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, Terry Kleintop and Jeffrey Beavan.

Also present were Secretary, Paige Stefanelli, Zoning Officer, John Lezoche, Solicitor, David Backenstoe, and Township Engineer, Mike Kukles. Township Manager, Tom Petrucci, was excused from the meeting.

APPROVAL OF MINUTES:

1. APPROVAL OF THE MARCH 11, 2019 SPECIAL PLANNING COMMISSION MEETING MINUTES:

ACTION: Motion was made by Robert Simpson and seconded by Robin Dingle to approve the March 11, 2019 Special Planning Commission Meeting Minutes with one minor change as discussed. *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.

2. APPROVAL OF THE MARCH 18, 2019 REGULAR PLANNING COMMISSION MEETING MINUTES:

ACTION: Motion was made by Jeffrey Beavan and seconded by Robert Simpson to approve the March 18, 2019 Regular Planning Commission Meeting Minutes with one minor change as discussed *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. GRAND CENTRAL SANITARY LANDFILL, INC. (PEN ARGYL ROAD, PEN ARGYL, PA 18072) SLATE BELT HEAT RECOVERY CENTER MAJOR SUBDIVISION/LAND DEVELOPMENT PLAN REVIEW:

ACTION: Motion was made by Robert Simpson and seconded by Robin Dingle to approve a Time Extension through May 31, 2019 for Grand Central Sanitary Landfill, Inc. Slate Belt Heat Recovery Center Major Subdivision/Land Development Plan Review. *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. GRAND CENTRAL SANITARY LANDFILL (910 W. PENNSYLVANIA AVENUE, PEN ARGYL, PA 18072) LAND DEVELOPMENT PLAN (PH ADJUSTMENT BUILDING- 900 SQ. FT.):

EarthRes Representative, Mr. Tom Pullar, noted he is the Senior Project Manager of the project. Mr. Pullar provided an overview to the Planning Commission. He stated the Southwest corner of the site has treatment leachate facilities. This is discharged to the tributary which leads to Little Bushkill Creek. The proposed 900 square foot structure has an above ground storage tank with magnesium. Currently, there are aeration systems. Additionally, chemical feed pumps will also be present. The storage tanks and feed pump would allow the leachate to be adjusted. Mr. Scott Perin from Waste Management added that this will also allow for more consistent treatments. He stated the weather patterns change leachate patterns which makes it difficult to re-acclimate the system. Having a new and improved system within the facility will alleviate issues such as odors on the property.

It was questioned where the sulfuric acid would be stored at the location. Mr. Pullar stated that it will be stored within a 55 pound drum within the building. All chemicals proposed within the new structure are currently being used on site. Mr. Kleintop questioned about the quality of the wastewater running off of the property currently. Mr. Perin noted that there is a two stage treatment process that the water goes through before it leaves the property. He added that the water is very good quality once it has gone through treatment. Mr. Pullar stated that the installation of this building is to avoid potential for any upsets and to improve the process. There is approximately 90,000 gallons that is processed each day. During a biological upset, there is approximately only 35,000 to 40,000 gallons that are processed. Out of the 90,000 gallons, approximately 35,000 gallons is released into the stream once it goes through the processing treatment.

All chemicals on site will be contained. The applicant does not expect any change in discharge with the new proposed building. Mr. Perin added that the original plan for Grand Central Sanitary Landfill allowed for approximately 150,000 gallons, however, the landfill is locking in around 90,000 gallons a day. In terms of the waste water, whatever is remaining from the 90,000 gallon intake and the 30,000-40,000 gallon release will either be stored on site or will be transported out of the facility. Mr. Perin noted that there are companies that come in and take left over industrial waste.

Additionally, there will be a secondary containment area as well. All reporting requirements will be done. Mr. Simpson questioned whether the applicant had any previous issues concerning chemical spills. Mr. Perin stated that they had one minor chemical spill incident last summer. The site was able to stop operation in order to halt the valve from releasing into Little Bushkill Creek. Mr. Simpson also questioned what the temperature is of the water being released into Little Bushkill Creek and whether it is consistent from day to day. Mr. Perin believes the temperature has been consistent at the time of release. He added that they have been monitoring a number of parameters on a daily basis. All testing is done by a third party certification testing company. The measurement of flow is taken by a flow meter/flume.

Township Engineer, Mike Kukles, read through his review letter verbatim. The Ott Consulting Review Letter dated April 11, 2019 by Mr. Mike Kukles is hereby incorporated for reference in these minutes as though it were more fully set forth at length as "Exhibit A".

In reference to number 23 under the Land Development section of the review letter, Mr. Kleintop questioned whether Mr. Kukles is concerned about the stormwater change due to the building. Mr. Kukles noted that this building is small in size and he does not envision any stormwater changes. Mr. Kleintop questioned whether elevation would be installed around the perimeter of the building to defer any stormwater that may come in contact with the building. Mr. Perin and Mr. Pullar agreed that there would be elevation put in place in order to alleviate/defer any stormwater that would run towards the proposed building.

Mr. Kukles read number 43 verbatim which stated "§22-1004.3.B– Where a subdivision or land development abuts or contains an existing street of inadequate right-of-way width, additional right-of-way width and widening of the cartway shall be required in conformance with Table 22-1004.1, 'Plainfield Township Standard Roadway Dimensions,' and §27-405 of the Zoning Ordinance. This provision shall not apply to state highways, unless the dedication or widening of the cartway is required by PennDOT. Since the proposed building is internal to the existing landfill and access will be provided by existing routes, the Planning Commission may wish to discuss roadway improvements to provide a recommendation to the Board of Supervisors." It was noted

that Grand Central Road is a Township Road. However, this roadway would not be used for vehicles concerning Grand Central Sanitary Landfill.

ACTION: Motion was made by Robert Simpson and seconded by Robin Dingle to recommend to the Board of Supervisors not to require road widening for Grand Central Road with respect to §22-1004.3.B of the Subdivision and Land Development Ordinance. 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.

Ms. Robin Dingle questioned about any potential noise or lighting issues with the proposed building. Mr. Perin noted there may be one extra chemical truck that is on the premises due to the new building. Otherwise, all equipment is located within the building which will not increase already existing noise. He added that the area is already well lit due to other lighting that has been previously installed. No additional lighting is being proposed at this time. Chairman, Paul Levits, questioned how the chemicals will be fed into the leachate. Mr. Perin noted that it will be through a pump and the valve chamber will control the tanks/lagoons. Mr. Simpson questioned Mr. Perin on whether this is already taking place on site. Mr. Perin noted that this is already taking place within the plant itself, however, having this additional area will make the process more efficient.

Chairman, Paul Levits, questioned whether the building would be strictly for the landfill operation. Mr. Perin agreed that this will be the only purpose of this building. Solicitor Backenstoe questioned whether the Planning Commission felt that this matter should be tabled due to the items that need to be addressed on the letter or whether the items needed to be addressed are light drafting issues and can allow the applicant to move forward. Mr. Kleintop noted that his only concern is the possibility of stormwater issues due to the new construction. Mr. Kukles noted that due to the size, there should not be issues. Mr. Kleintop added that he is also concerned about a trench that goes down by the treatment plant and goes into the stream. He added that if there was a spill, those chemicals would seep into the trench and ultimately make its way into Little Bushkill Creek. Mr. Perin noted that they keep tight control on all operations.

Mr. Levits questioned whether there will be a catch area or containment area located at the building considering it is an outside hookup for chemical trucks to retrieve the chemicals from the storage tanks. Mr. Pullar added that the facility would need to get rain for days in order for it to make it to Little Bushkill Creek. Ms. Dingle noted that an onsite spill kit should be installed for emergency situations. During storm conditions, Ms. Dingle recommended possibly avoiding filling chemical trucks from the storage tanks. Mr. Perin noted that each storage tank holds approximately 5,300 gallons. Both tanks are contained.

ACTION: Motion was made by Robert Simpson and seconded by Jeffrey Beavan to recommend to the Board of Supervisors to approve the Grand Central Sanitary

Landfill Land Development Plan- PH Adjustment Building (900 sq. ft.) subject to the plan addressing all comments within the Ott Consulting, Inc. review letter dated April 11, 2019 and all comments from the Emergency Management Coordinator and Plainfield Township Fire Chief. *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.

PUBLIC COMMENT:

Lisa Perin- Ms. Perin noted that she has direct experience with the Landfill as she currently lives across the street from the facility. She agreed that the change in rain/temperature directly contributes to changes in odor emanating from the facility. She noted that when these issues occur, Grand Central addresses her concerns. When she notices a change, she will contact representatives of Waste Management. She noted that if this new building proposal helps reduce the leachate, she does not have any issues with it as long as all chemicals are contained securely.

Don Moore- Mr. Moore noted that he wrote up a letter which will be sent to the Planning Commission which addresses some comments made at the last Planning Commission meeting regarding Synagro. There were articles that were also included with his letter. He intends to send the letter tomorrow for the Planning Commission's review.

Mr. Levits questioned the Commission about the former Speck's Plastics Company (now referred to as Metrotech). Mr. Moore stated the current CEO of the company Metrotech is currently in a legal dispute with the owner of the building. They have moved to a facility in Forks Township due to the poor conditions of the facility as it stands now. There was mold and other issues found with the building per Mr. Moore's comments.

Zoning Officer, John Lezoche- Mr. Lezoche noted that Mr. Nolan Perin's property located on Sullivan Trail has been sold to Mr. Ryan Cortazzo. Now that there is a new owner, Mr. Perin will be withdrawing the subdivision. Mr. Cortazzo will be seeking a Special Exception in order to alter the current use of the property into a construction business.

Commissioner, Terry Kleintop- Mr. Kleintop noted that he attended a Board of Supervisors meeting. There were two issues addressed which included the proposed trail connection which is to go through Grand Central Woods where Plainfield Township and Grand Central have an easement. The second part of that meeting, the Supervisors brought up an issue regarding the maximum height requirements for commercial buildings.

Mr. Kleintop stated that the Supervisors questioned whether the Zoning Ordinance should be changed to have a 50 feet maximum height instead of a 30 feet maximum height. Mr. Kleintop added that if the maximum height requirement is not changed, the review

process for the Zoning Hearing Board and Planning Commission regarding commercial building height will be the new standard. To his recollection, the Board did not seem eager to change the height restriction to 50 feet.

Mr. Kleintop noted that the Township previously received a grant in the amount of \$75,000.00 in order to redo the Plainfield Township Zoning Ordinance and to update the Comprehensive Plan. He stated that the County pulled back on that grant which ultimately held up the Ordinance update. He noted that the Board mentioned that the Zoning was supposed to be completed 2-3 years ago. He added that if this were to be done 2-3 years ago, we would not be dealing with this situation. Mr. Simpson stated that there are reasons why the Township did not move forward with it at that time including the Lehigh Valley Planning Commission and wanting to do more of a Comprehensive Plan. Mr. Kleintop added that developers are pushing for 50 foot buildings in order to have manufacturing facilities.

Solicitor, David Backenstoe, stated that his understanding, based on a general conversation, is the reason they cannot bring in manufacturing (which 35 feet would be perfectly adequate) is because they do not have the water and sewer capacity available. This is why warehouses are coming into the area.

Mr. Kleintop referenced the latest submission for 550 Male Road which was already heard by the Zoning Hearing Board. There were two different plans submitted to the Zoning Hearing Board. He noted there was a lot of discussion on the possibilities of the facility including merging both lots. Currently, half of the lot is within Plainfield Township and the other half is located within Wind Gap Borough. Wind Gap Borough allows for 50 feet in height currently, however, Plainfield Township does not. The latest decision from the Zoning Hearing Board awarded the applicant relief for the height of the building. Mr. Kleintop added that the first time around, it was not approved with a vote of 3-2. He added that there was even stronger evidence that was presented to the Zoning Hearing Board to deny the second application, however, that decision was 3-2 again, but in the favor of the applicant. He does not understand how this happened.

Mr. Lezoche corrected Mr. Kleintop and stated that the reasoning for the vote the first time around was because there were only 4 members in attendance. Additionally, there were no external stairways being proposed on the first application. At the second meeting regarding the second application, there were 5 members in attendance which changed the vote. He added that at the second meeting, the Plainfield Township Fire Company and EMS were in attendance and that there were two external stairways that were proposed. Having the stairways on the plan fulfilled the request of the Fire Company. This led to a favorable vote for the applicant.

Mr. Kleintop expressed concern about the current process of going before the Zoning Hearing Board and Planning Commission for these reviews. Mr. Simpson questioned whether there is some type of change that can be made to the ordinance so this is not burdensome on the Zoning Hearing Board and Planning Commission. Solicitor Backenstoe stated that there should be no change in the process. He added that there is a reason for a Preliminary Review and Final Review and these processes shall not be altered. There are times where these processes can be waived, however, this is done on a case by case basis only. He added that there are times where these stipulations critically protect the Township and require that the right things be done. Solicitor Backenstoe stated that these provisions should absolutely not be tinkered with at all.

Mr. Kleintop further discussed what happened during the second Zoning Hearing Board meeting in reference to economics and the height of the building. Differences between dimensional and use variances were also discussed.

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 8:44 P.M.

Respectfully submitted,

Paige Stefanelli
Planning Commission, Secretary
Plainfield Township