

**PLAINFIELD TOWNSHIP
PLANNING COMMISSION SPECIAL MEETING
MAY 13, 2019**

A special meeting of the Plainfield Township Planning Commission was held on Monday, May 13, 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. Mr. 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.

TIME EXTENSIONS:

1. **ASGCO MANUFACTURING, INC (730 BANGOR ROAD, NAZARETH, PA 18064) LAND DEVELOPMENT PLAN:**

ACTION: Motion was made by Robert Simpson and seconded by Terry Kleintop to grant an Extension of Time through August 31, 2019 for the ASGCO Manufacturing, Inc. 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.

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

ACTION: Motion was made by Robert Simpson and seconded by Terry Kleintop to grant an Extension of Time through June 30, 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.

OLD BUSINESS:

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

Solicitor, David Backenstoe, stated that the applicant has previously indicated there will be no more awarded/requested time extensions regarding this project. However, the applicant has provided an extension of time through June 31, 2019. He added that the Planning Commission is not bound to make any decisions tonight. There are lists that were put together for the Planning Commission/Applicant in order to identify all outstanding items with the consultants to date. If a vote takes place at tonight's meeting, many conditions would apply. The matter, if voted on tonight, would then proceed to the Board of Supervisors for their consideration.

Township Manager, Tom Petrucci, provided an overview of the memorandum from May 9, 2019. The Plainfield Township Review Letter dated May 9, 2019 by Mr. Tom Petrucci is hereby incorporated for reference in these minutes as though it were more fully set forth at length as "Exhibit A".

The applicant noted that they have received further information from PennDOT. Mr. Jim Hecht noted that he would like the Planning Commission to review the plans once more. Once the new plans are reviewed, he believes the Planning Commission will be in agreement that a variance will not be required. The other access way for the facility is off of Pen Argyl Road. This road will be a limited access road. Mr. Hecht added that due to the road being a state highway, PennDOT will limit its' use to an emergency access way only. The applicant will also need to apply for a permit modification for their Highway Occupancy Permit (HOP) on S.R. 512. In total, there will be two access ways. Traffic Expert for Plainfield Township, Mr. Peter Terry, concurs with their statement regarding the access road off of Pen Argyl Road being an emergency access road only. Mr. Terry questioned whether PennDOT is currently reviewing the new plans from the applicant. Attorney Witmer on behalf of the applicant noted that they need to have a scoping meeting with PennDOT. Once all matters are addressed, the applicant will then submit the plans to PennDOT. The location and geometry will be consistent with the plans that

were submitted today to Plainfield Township. Solicitor Backenstoe noted the variance requirements and the process for obtaining a variance. He noted if the zoning officer is stating that a variance is needed, it is difficult to infringe on that statement. The Planning Commission does not have the authority to grant zoning relief. Solicitor Backenstoe added that the Zoning Hearing Board ultimately interprets whether the applicant complies with the Zoning Ordinance.

Mr. Peter Terry from Benchmark Engineering read over his review letter verbatim. The Benchmark Engineering Review Letter dated May 9, 2019 by Mr. Peter Terry is hereby incorporated for reference in these minutes as though it were more fully set forth at length as "Exhibit B". Mr. Terry noted that in order for the proposed driveway to be wide enough to allow for different types of vehicles to pass through, the driveway needs to be quite wide. Mr. Terry is unsure of whether PennDOT will allow the driveway as large enough as Plainfield Township's Zoning Ordinance requires it. This issue will be at the discretion of PennDOT. Additionally, the throat length will need to be enough to supply for both types of vehicles to move through the access way. PennDOT will need to provide direction on that matter as well.

Commissioner, Terry Kleintop, questioned what happens if there is an accident at the entrance of S.R. 512 or if a truck breaks down on the haul road off of S.R. 512. Mr. Peter Terry stated that the driveway off of S.R. 512 is high volume and there are two enter and exit lanes. Mr. David Allen from EarthRes stated that the existing entryway/exit off of S.R. 512 is currently 40 feet in width. He added that there will be enough room for vehicles to bypass if a truck were to break down. On the emergency access way, there is currently an existing gate in that location along with a fire hydrant. There are other driveways also present on the property which are also gated. There are a few access points available for the facility. Mr. Allen stated that in total, there are 6 access points.

Ms. Dingle stated in reference to the easement, she questioned whether the applicant is in agreement that this is a private road because a variance would not be needed if it were to be along an arterial or collector road. Attorney Witmer noted that there is not a designation on the map for Plainfield Township in regards to the easement. Attorney Witmer added that there was an extra access added into the lot that will be part of the subdivided lot off of Pen Argyl Road. She noted that it is PennDOT who will dictate where the driveway/access way will be; not Plainfield Township. Synagro's Traffic Expert, Mr. Jason Schetler, stated that there are many options to ensure the applicant meets the ordinance requirements and PennDOT's requirements. Truck turning exhibits were also resubmitted to Plainfield Township. Mr. David Allen stated there is information regarding all access ways provided on the new plan.

Township Manager, Tom Petrucci, discussed the second portion of his letter regarding buffer yard requirements. Attorney Witmer noted that the new plan shows detailed modifications that were made to the sedimentation basin. The setback measurement is from the modified sedimentation basin. Mr. Petrucci noted that the Township will need to review the revised plans that were submitted today prior to the meeting. Attorney Witmer

will be responding to their position on the application and any remaining outstanding items.

Attorney Witmer anticipates their application to be approved by the DEP. Mr. Tom Pullar stated the permit application was under review by the DEP for the Grand Central Sanitary Landfill Modification Permit for modifying Sedimentation Basin #2. A deficiency letter was received from the DEP in regards to the permit modification application. They are currently working on a response to that letter and will also hold a meeting with the DEP at the site. Mr. Pullar noted to Mr. Petrucci that the Township is invited to attend this on site meeting which will be held on Thursday, May 23, 2019 at 11AM located at the hauling facility. The department will be viewing the basin as is. Mr. Pullar added that their opinion has not changed on the type of body of water the sedimentation basin is. There is a permit already in existence for the sedimentation basin and as-built plans have been provided to the Township. However, Mr. Pullar added that there is a slight chance that the sedimentation basin modification may not be approved. Attorney Witmer stated that if the Planning Commission were to approve the application for a Synagro facility, it could be conditional upon providing an approved permit from the DEP for the sedimentation basin modification. The applicant would agree to this condition.

Commissioner, Robert Simpson, questioned Zoning Officer, John Lezoche, whether he had any comments regarding zoning. Mr. Lezoche noted that at this time, the applicant does not meet the Zoning requirements even if they were to fill the sedimentation basin. Attorney Witmer questioned Mr. Lezoche's reasoning on his determination. Mr. Petrucci added that this requirement is stated within the Plainfield Township Zoning Ordinance along with the SALDO. Mr. Pullar noted that they will use clean fill for the sedimentation basin and the fill will also need to be approved by the DEP. Approximately 1000 cubic yards is being proposed to fill. Mr. Simpson questioned what materials/chemicals will be tested for in the fill. Mr. Pullar clarified that the clean fill criteria requirements will be met. Ms. Dingle questioned who the applicant was for the modification to the pond. Attorney Witmer noted the applicant is the Grand Central Sanitary Landfill because they are the owner and Synagro will be the lessee. Ms. Dingle wanted to confirm that the applicant understood the difference between a minor modification and an actual permit application.

Township Manager, Tom Petrucci, continued about the environmental impact study and the standards requested to be followed by applicant. In reference to the study, the applicant will submit a response by Friday on these particular requests. Attorney Witmer added that the record clearly demonstrates that they are in conformance. Legal Environmental Counsel on behalf of Plainfield Township, John Embick, stated that the Pennsylvania Constitution directly states the rights of residents for their environment that they live in. This is not necessarily directly related to the MPC.

Mr. Petrucci spoke about the Nuisance Mitigation Control Plan. Ms. Trudy Johnston provided an overview on where the review is at currently in terms of that plan. The Material Matters, Inc. Review Letters dated April 24, 2019 and May 9, 2019 by Ms.

Trudy Johnston are hereby incorporated for reference in these minutes as though it were more fully set forth at length as “Exhibit C” and “Exhibit D”. She noted that there are still items outstanding from her April 24, 2019 letter. Ms. Johnston provided an overview of her May 9, 2019 review letter. In general, she noted the current plan procedure is very complex and hard to follow. There are many revisions needed in order to make the plan more clear and feasible. Mr. Jim Hecht stated that the applicant has been collecting a lot of review letters and will be responding to all open items in writing. Written responses will be provided to the Township by Friday afternoon. Mr. Simpson requested that the response letter details whether the applicant is or is not in agreement with the remaining items to be addressed. Mr. Hecht noted they will provide that information with the draft conditions. Mr. Hecht would not expect 100% agreement on every detail of the plan. Mr. Simpson added that with respect to the Nuisance Mitigation Control Plan, there are some sections of protocol that are too technical to understand. Mr. Simpson requested that the responses clearly state how the process works with responding to complaints and how those complaints will be rectified.

Ms. Dingle questioned Ms. Johnston on whether she feels as though any of her comments go beyond the Township ordinance. She noted that Synagro agreed to Nuisance Mitigation Control Plan. Ms. Johnston noted that currently, there is no enforcement policy proposed. Ms. Dingle stated that if odor issues were to continue, there needs to be an end at some point. Ms. Dingle also wants to ensure the applicant’s plans are consistent with Plainfield Township’s ordinance especially with health and safety. If there is anything that is not addressed or something that a consultant for Plainfield Township is not comfortable with, members of the Planning Commission would like to know this information.

Ms. Johnston noted that the hand held monitoring equipment is the most major concern/challenge with respect to the Nuisance Mitigation Control Plan. At this time, this is the only item that Synagro has disagreed with. The applicant has provided documentation notating why a hand held instrument is not necessary for odor detection.

With respect to the proposed dryer for the facility, Ms. Pam Racey noted that this specific dryer from Haarslev was chosen because of the positive consistency in the market. She added that the dryer does nothing more than evaporate water. Odors will still need to be dealt with regardless of what type of belt dryer is used. Ms. Racey stated the moisture off the dryer has to be collected and tested. Additionally, there will be an odor control system which will be needed to keep odors within the realm of the property lines. Mr. Kleintop questioned whether there are any plants up and running with the new German technology. Ms. Racey noted there are two locations within the United States that are now up and running. However, it is too early to make a determination on their performance as operations at these locations began approximately 2 months ago. Ms. Racey added that these dryers have been successful in other countries. Mr. Kleintop questioned whether engineers from Germany or the United States will be in attendance for the initial installation of the Haarslev dryers. Ms. Racey stated that the German Engineering team

will come over and support the installation and startup of the dryers. Service is also available within the United States for these dryers.

Ms. Dingle questioned whether the Nuisance Mitigation Control Plan addresses truck traffic in residential areas. Ms. Racey noted that information will be added into the plan and will be submitted to the Township. Mr. Kleintop questioned about the current status of the trucks that will be used for hauling at this site. Mr. Hecht stated that the prototypes have been completed but they will not begin to build the trucks unless all necessary permits have been obtained for the facility. Ms. Racey added that these vehicles already exist on the road, however, they made a few minor modifications to assist with odor control.

Solicitor Backenstoe added that in addition to Attorney Embick's statement concerning the Pennsylvania Constitution, the Township Ordinance does in fact touch on performance impacts. Solicitor Backenstoe read verbatim Ordinance §27-410(1)a, §27-410(1)b and §27-410(2). Solicitor Backenstoe noted that he would like to see the reasoning for not conducting an impact study. Attorney Witmer stated that these studies have already been conducted and have been provided to the Township. The studies will be repackaged and resubmitted to the Township with updated documents. She noted that she is very aware of the environmental concerns brought by the Township. Solicitor Backenstoe stated that the Planning Commission does not feel as though this has been addressed. He added that resubmitting this information with documents addressing these concerns will be very helpful. Attorney Witmer reminded the Planning Commission that the applicant is still in the process of obtaining permits from the DEP. Solicitor Backenstoe stated that the Township Ordinance specifically states that this use can become prohibited if there were negative environmental impacts.

Chairman, Paul Levits, allowed for a short break from 8:38 P.M. to 8:49 P.M.

Mr. Jason Smith reviewed his newest review letter. The Hanover Engineering Review Letter dated May 3, 2019 by Mr. Jason Smith is hereby incorporated for reference in these minutes as though it were more fully set forth at length as "Exhibit E". Mr. Tom Pullar noted that with respect to Mr. Smith's comments, he is unsure of the location that Mr. Smith is speaking of in his review letter. Mr. Smith noted his areas of concern were near Waltz Creek. Mr. Pullar requested a sketch of the location that Mr. Smith is referring to.

Mr. Farley Fry read over a recent review letter in conjunction with Mr. Robert Lynn's comments. The Hanover Engineering Review Letter dated April 23, 2019 by Mr. Robert Lynn is hereby incorporated for reference in these minutes as though it were more fully set forth at length as "Exhibit F". On page 14 of the review letter, there are 7 traffic comment items. The items listed in red are still remaining to be addressed by the applicant. Attorney Witmer questioned about number #2 on page 20 of the review letter in reference to landscaping. Mr. Fry noted that this comment was made by Mr. Lynn so

he will refer her question to Mr. Lynn. Ms. Witmer would like to further discuss the landscaping with Mr. Lynn as this topic has not been previously addressed.

Mr. Michael Brunamonte summarized his recommendations. The BCM Engineers Review Letter dated May 1, 2019 by Mr. Michael Brunamonte is hereby incorporated for reference in these minutes as though it were more fully set forth at length as "Exhibit G". He requested the applicant contact his office as there are still items to be addressed.

Ms. Robin Dingle noted that the letter addresses a lot of monitoring and groundwater testing, however, she questioned whether it addresses recharge capabilities, quality, local support to public wells, etc. Mr. Brunamonte stated that the calculations that were put together by the applicant was the only item regarding her question that was reviewed. The documents submitted showed the direction of water once it reaches the pond. The Geologist who reviewed these documents from their firm agreed that calculations that were in the plan showed that a specific number of gallons would move to Little Bushkill Creek. Ms. Dingle has concerns regarding recharge in wells and the quality of water. She wants to ensure that all items are addressed with stormwater and discharge. Mr. Tom Pullar stated that he had a geologist review the base flow and stormwater flow. There was an evaluation as to where the water goes once it has come in contact with the basin. There is no specifics on monitoring in that area that are currently in place. In terms of the NPDES monitoring for the outfalls, the applicant is in agreement with Plainfield Township, although, the applicant may impose further negotiations. Monitoring will be done quarterly. The applicant will prepare a revised monitoring table. The applicant will also retrieve background data to support future monitoring events.

Mr. Kleintop questioned what testing measures are done on the private wells currently on the monitoring system. Act 101 wells are private supply wells monitored on a quarterly basis. The general water quality and indicators of impact from the landfill were requested to be submitted to the Township for proper review by Mr. Kleintop. Additionally, there is testing that has been done on Little Bushkill Creek which was included on the hydrogeological package provided to the Township. Mr. Kleintop questioned whether the macroinvertebrate studies were reviewed. Mr. Pullar noted that the DEP never commented on that information.

Ms. Dingle stated that Waltz Creek testing should also be included with Little Bushkill Creek. She added that this would not be a major cost increase. She requested that Waltz Creek be included in water testing. Mr. Kleintop added that he is unsure as to why Grand Central does not already perform testing on Waltz Creek.

Chairman, Paul Levits, concluded the discussion portion of the meeting. He noted that the applicant will contact the professionals based on the remaining items to be addressed and will submit a new submission. Attorney Witmer stated that the applicant will respond with an open issue response memorandum. No new plans will be submitted. The applicant wants to be on the same page with the Township.

PUBLIC COMMENT:

Peter Layman- Attorney Layman, Pen Argyl Borough's Solicitor, appreciates the thorough review by Plainfield Township as this is an important process. He noted that as the plan becomes more definite, it is very important for an enforcement mechanism to be put in place in the plan. He is concerned about the potential odors. Pen Argyl Borough has been experiencing odors from Grand Central in the past few years. He noted the next step is to finalize the Nuisance Mitigation Control Plan.

Don Moore- Mr. Moore questioned Mr. Michael Brunamonte about the berm and whether this topic is still being discussed. Mr. Brunamonte stated that the berm is to divert sheath flow from the parking lot area. Mr. Brunamonte has recommended a vegetative swale rather than a berm to the applicant. Mr. Pullar noted that this has been addressed within the new plans. Mr. Moore stated that the Planning Commission did not receive pictures of the prototype trucks being designed for this facility. Mr. Moore firmly believes that the body of water is a pond on the property and not a sedimentation basin. He noted that it seemed as though the DEP even questioned whether the pond is in fact a sedimentation basin. Mr. Moore also discussed the fees that have currently been spent on the project with respect to Plainfield Township's consultants and legal personnel. Mr. Moore commended the Planning Commission on their work.

Justin Huratiak- Mr. Huratiak noted that he is a builder and developer. He is concerned that this plan has been reviewed for 2 years, however, it seems as though the applicant is back to where they started in terms of what studies need to be done and any outstanding issues. He stated that in order to have a subdivision, the Planning Commission should deny this application and move on.

Daniel Engle- Mr. Engle works with coal at chemical facilities. He questioned if the drivers of the trucks will be holding MSDS sheets in the trucks. He also attended a hazardous meeting and representatives of the County were in agreement that biosolids are a hazardous material. Chairman, Paul Levits, requested formal documentation on Mr. Engle's claims. He stated that the products give off odors similar to rotten eggs. When this odor becomes apparent at his place of work, all employees are told to evacuate the premises. He added that on the job site, employees need to wear H₂S monitors on their suits. Ms. Racey stated that these types of levels are not present at facilities such as Synagro. Mr. Engle requested that monitoring take place to identify what the levels would be for H₂S. Ms. Racey added that there are air scrubbers that will also be in use at the facility. Ms. Racey added that the heat source is the waste heat from the turbines from the Green Knight Energy Center. They are utilizing waste heat so the facility will not need to use natural gas to dry the product. Ms. Racey stated that they are attempting to make the plant as green as possible. Mr. Kleintop added that it is very likely that by the year 2030, the facility will be running strictly on natural gas.

Tom Bondurich- Mr. Bondurich questioned whether he would need to contact Synagro in the event that the sludge has odors. Mr. Levits stated that he is correct, and would need to submit the complaint to Synagro. Mr. Bondurich also questioned about water samples. Mr. Pullar stated that testing can be done by many entities. Normally, Synagro would

utilize a contracted lab that is certified. The results would then come back to Synagro and are then forwarded to the DEP. Mr. Bondurich would like the penalties and enforcement to be finalized so residents are not in the same current situation as they are with odor emissions from Grand Central Sanitary Landfill.

Madelyn Koch- Ms. Koch questioned Mr. Kleintop on his comment regarding waste heat. Mr. Kleintop stated that the current energy source will need to be supplemented in the future with 100% natural gas. Ms. Koch also questioned about what emissions would be coming from the facility and their vehicles. Mr. Brian Cotaldo stated the process of how the facility will operate and noted that the gas load will be placed in turbans and combustion makes the electricity. The heat will then be pumped through our system.

ACTION: Motion was made by Robert Simpson and seconded by Robin Dingle 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 Robert Simpson and seconded by Robin Dingle 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