

**PLAINFIELD TOWNSHIP
ENVIRONMENTAL ADVISORY COUNCIL MEETING
SEPTEMBER 2, 2021**

A special meeting of the Plainfield Township Environmental Advisory Council was held on **Thursday, September 2, 2021** at the Plainfield Township Municipal Building, which is located at 6292 Sullivan Trail, Nazareth, PA 18064.

Chairman, Bob Cornman, called the meeting to order at 7:00 P.M.

ROLL CALL:

The following members of the Environmental Advisory Council answered roll call: Chairman Robert Cornman, Jeff Beavan, Jane Mellert and Bruce Rabenold.

Vice-Chairman Bob Simpson arrived at 7:08 PM. Stan Shelosky was excused from attending the meeting.

Also present was Township Manager/Secretary to the Environmental Advisory Council, who is Tom Petrucci, and Charlie Schmehl, who is the Vice President of Urban Research and Development Corporation (URDC).

PUBLIC ATTENDANCE:

There were no members of the public in attendance.

I. APPROVAL OF THE MINUTES – August 2, 2021 Draft Meeting Minutes

ACTION: Bruce Rabenold made a motion to approve the August 2, 2021 Draft EAC Meeting Minutes, as submitted. The motion was seconded by Jane Mellert.

Prior to the vote, Bob Cornman called for any questions or comments from members of the public or the EAC.

The motion was approved. Vote 3-0-1, with Jeff Beavan abstaining.

II. MEETING BUSINESS:

1. Clean Fill Regulations Ordinance

Charlie Schmehl distributed a memorandum to the EAC members summarizing the revisions to the ordinance that stemmed from the discussion which occurred during the August 2, 2021 EAC meeting.

The following provisions of the ordinance were discussed:

- Jeff Beaven recommend that the tonnage threshold to trigger a zoning permit for clean fill should be four (4) to five (5) tri-axles/one-hundred (100) tons of clean fill material that is emanating from outside the Township. The zoning permit application for clean fill should be more streamlined than the standard zoning permit application process. Quarry fill projects should be regulated regardless of the amount of the material coming into the Township. The one-hundred (100) ton threshold would require that the applicant state where the material is coming from and to obtain a zoning permit.
- Charlie Schmehl discussed whether the Township should assume all projects will need to meet residential standards, regardless of the type of project. Bob Simpson explained the differences between the soil standards (and the types of suitable fill materials/cap types) and environmental covenants (ex. deed restrictions) depending on the type of land use.
- Bob Simpson recommended that the Township should require clean fill regulations for larger projects. In other words, the Township should require and accept only clean fill (as that term is defined in the Commonwealth and not contaminated) for all projects. Quarries should not be considered industrial for purposes of accepting clean fill; these projects should be considered residential. Industrial projects should follow the Commonwealth standards for industrial and commercial fill projects (with the Township not altering them) but be required to have additional testing and oversight.
- It was stressed that the Township cannot regulate solid waste operational standards.
- Aside from quarry fill projects, it was discussed that farm ponds may be filled from time to time. However, Bob Simpson pointed out that farm ponds will fall under residential standards, because farmlands ostensibly could become residential in the future.
- If an engineer is hired to oversee the sampling/testing process, this will provide an acceptable level of oversight to the clean fill process. The engineer should be hired by the property owner/developer/contractor, and then the work product could be peer-reviewed by an appointed engineer.
- The testing protocol implemented by the Commonwealth will be followed, but the Township has some flexibility with respect to the frequency of tests.

- It is suggested that testing requirements should be triggered at any project where five-hundred (500) tons of material are being brought onto a tract of land.
- Bob Simpson stated that the one-hundred (100) ton threshold should be subject to some level of testing from a laboratory to ensure that the material is considered clean fill.
- Gravel and recycled materials (graded aggregates or millings) should be looked at.
- Bob Cornman stated that homeowners should be able to bring in loads of top soil on their properties.
- Bob Cornman and Bob Simpson expressed the sentiment that all testing and analysis at the five-hundred (500) ton threshold should be completed prior to the fill activities taking place.
- If fill activities are occurring within five-hundred (500) feet from a bank of a perennial watercourse, a natural lake or with a quarry that retains water, the Township would require a water quality test. Bob Cornman stated that the parameters of the water quality test should be defined. The intent of the ordinance with respect to the water quality test is to look for chemical materials. Upon further review, a water quality test looking for chemicals is not needed.
- A hydro-geological study from a professional geologist or professional engineer would be required for all quarry fills. The intent of the study would determine whether or not there would be impacts to groundwater supplies or water quality. Bob Cornman indicated that the test should be Jeff Beaven stated that the study should evaluate the interconnectivity of the aquifer and the levels of contamination (including the ability to leach into the groundwater).
- It was stated that the special exception approval process should be utilized for quarry fill projects. All fill materials to be placed in quarries should be tested.
- It was noted that the “direct to aquifer” standards set forth in the material standards should be followed, if legally permissible.
- The question was raised whether these regulations could be pre-empted by the beneficial reuse permit application process.
- It was determined that the highest quality of fill material shall be used for fill within the riparian buffer setback. Setbacks and tonnage shall be removed.

- It was noted that mine reclamation is considered an operational matter from a regulatory standpoint.
- The EAC will receive the revised draft ordinance and a summary by September 21st in preparation for the October 4, 2021 summary presentation to the public. Bob Cornman suggested that the public meeting should be structured.

III. CITIZEN'S AGENDA/NON-AGENDA (*There is a 5-minute time limit for speakers. Please state your name prior to addressing the Environmental Advisory Council*)*

There were no members of the public in attendance.

IV. ADJOURNMENT:

Having no further business to come before the Environmental Advisory Council, motion was made by Bob Simpson and seconded by Bruce Rabenold to adjourn the meeting. Motion approved. Vote 4-0.

The meeting adjourned at 9:00 P.M.

Respectfully submitted,

Thomas Petrucci
Township Manager/Secretary
Plainfield Township