



Plainfield Township Environmental Advisory Council 2021 Year End Report January 31, 2022

On December 13, 2006, the Plainfield Township Board of Supervisors passed Ordinance No. 315, which is codified in the Plainfield Township Code of Ordinances at Chapter 1 (Administration and Government), Article 3 (Commissions, Boards and Organizations) D (Environmental Advisory Council). The Ordinance provides operating procedures and powers for the Environmental Advisory Council (EAC). The Council advises other local government agencies, including, but not limited to, the elected Board of Supervisors, the Planning Commission, and the Recreation Board, on matters dealing with protection, conservation, management, promotion and use of natural resources including air, land and water resources located within its territorial limits. The 2021 members of the EAC were: Chairman Robert Cornman, Vice-Chairman Robert Simpson, Supervisor Jane Mellert, Jeffrey Beavan, Bruce Rabenold and Stan Shelosky. There was one (1) vacant term for the entire duration of 2021.

The Board of Supervisors approved the following appointments to the EAC at the annual reorganization meeting held on January 4, 2021 at 5:30 pm:

- Jane Mellert – 3 year term
- Jeffrey Beavan – 3 year term
- Tom Petrucci – EAC Secretary

Meetings are held at the Municipal Building on the first Monday of the month at 7:00 P.M.; additional meetings are scheduled as necessary. The meetings are open to the public.

Due to COVID – 19 (Pandemic) Regulations in place in the State of Pennsylvania, some of the Plainfield Township Environmental Advisory Council meetings held in 2021 were conducted by way of an authorized telecommunications device pursuant to Act 15 of 2020. Said meetings are identified below by an asterisk (*).

The Plainfield Township EAC met on the following dates in 2021:

January 11, 2021*
February 1, 2021*
March 1, 2021*
April 5, 2021 (Cancelled)
May 3, 2021*
June 7, 2021 (Cancelled)
July Meeting (None Scheduled)
August 2, 2021
September 2, 2021
October 4, 2021
November 1, 2021
December 6, 2021 (Cancelled)

It is important to note that the EAC held three (3) more meetings in 2021 than in 2020 [five (5) meetings were held in 2020 versus the eight (8) meetings that were held in 2021] after the Township successfully adjusted to the impacts of the ongoing COVID-19 late in 2020 and early in 2021. A quorum of EAC members was present at each meeting; some of the meetings had interested Township residents in attendance. Both the October and November meetings were facilitated as public meetings to review the draft Clean Fill Regulations Ordinance, which is further described elsewhere in this report. Minutes were prepared by the EAC Secretary and adopted by the EAC for each meeting.

As per Chapter 1 (Administration and Government), Article 3 (Commissions, Boards and Organizations) D (Environmental Advisory Council) (§1-336) of the adopted Code of Ordinances, the EAC has been tasked with the following responsibilities by the Board of Supervisors:

- Identify environmental problems;
- Recommend plans and programs to the appropriate agencies for the promotion and conservation of natural resources and for the protection and improvement of the quality of the environment within the area of the Municipality;
- Make recommendations as to the possible use of open land areas of this Municipality;
- Promote a community environmental program;
- Keep an index of all open areas, publicly or privately owned, including, but not limited to, flood prone areas, swamps, and other unique natural areas;
- Advise the appropriate local governmental agencies in the acquisition of property, both real and personal;
- Undertake such environmental tasks as requested by the Board of Supervisors of Plainfield Township.

During the course of the 2021 year, the EAC reviewed and/or were involved in the following:

- **Land preservation with Northampton County Farmland Preservation and the Local Municipal Partnership Program**
 - As per the 2021 Northampton County Farmland Preservation data, Plainfield Township now has a total of 43.5 farms preserved for a total of 3,296.22 acres.
 - The Farmland Preservation closing for the Jeffrey Poliskiewicz farm (40 acres) located in Plainfield Township occurred on September 9, 2021.
 - 2021 Update – There were four (4) applications from Plainfield Township for the 2021 program. All of the properties were ranked and are eligible, but two (2) of the applicants withdrew their applications. The remaining active properties will be preserved with Township, State and/or County funds. The following properties are in process of being preserved:
 - Carol Andrea Nagy Smith: three (3) acres in Plainfield Township (Washington/Plainfield Townships): *In process*

- Arlene Savakus Estate: approximately ninety (90) acres (Washington/Plainfield Townships): ***In process***
 - Walter M. Jr. and Melody A. Schlegel Farm: approximately thirty-nine (39) acres (Plainfield Township): ***In process***
- 2022 Status – Round 1 of the 2022 applications closes on January 31, 2022. May 1st is the deadline for Round 2.
 - The Northampton County Farmland Preservation Administration did not request to Plainfield Township for the consideration of committing a portion of the .25 percent of earned income tax funds collected for Open Space to the State of Pennsylvania matching program. Plainfield Township’s committed fund balance from prior years is currently **\$863,325.70 with a \$0.00 County match balance**. It is important to note that the Walter M. Jr. and Melody A. Schlegel Farm will utilize only local Plainfield Township committed funds, which are currently estimated to be \$196,000.00. \$200,000.00 has been budgeted for this property in the 2022 Plainfield Township Approved Budget- specifically, the Open Space Fund.
- **Grand Central Woods**
 - In 2018 Township Manager Tom Petrucci met with representatives from the Waste Management Landfill along with members from Conservation organizations in order to continue to move forward with fact finding for preservation of the property. The exploration of preserving part of Grand Central Woods continued during 2019. There was no progress made toward preservation of the property during 2021.
 - **Northampton County Development of the Gall Farm – located on Gall Rd in Plainfield Twp.**
 - In July of 2018 Northampton County set up a Steering Committee for the Gall Farm Project. The meetings continued during 2019. Terry Kleintop EAC Chairman, Don Moore EAC Member, Jane Mellert Township Supervisor and EAC Member and Tom Petrucci Township Manager participated on the Steering Committee to develop the Gall farm into a passive recreation park.
 - The Gall Farm Park will connect to the existing Plainfield Township Recreation Trail. Additional parking and trail enhancements were explored as part of the project. Plainfield Township contributed a \$15,000 match toward the trail improvements.
 - On May 12, 2021, Phase I of the Gall Farm Park Land Development was approved by the Board of Supervisors. Northampton County is currently working on meeting all of the requirements of the Commonwealth of Pennsylvania concerning NPDES permitting. The proposed Phase 1A includes nearly 24 acres between the Bushkill Creek and the Plainfield Township Recreation Trail to the north of Gall Road. Phase 1A includes the construction of a bituminous parking lot and access drives, paved trails & connections, an overflow parking area, bus loading/unloading areas as well as stormwater management facilities. Access for Phase 1A will be provided by a proposed driveway from Gall Road.
 - **Little Bushkill Stream** – Past sampling efforts conducted by Plainfield Township volunteers and the Pennsylvania Department of Environmental Protection, during 2010 and 2011, reported elevated concentrations of fecal coliform bacteria and the Little Bushkill Creek was listed as “impaired for its designated use” (recreational use/water contact) according to the 25 PA Code Section 93.7). A study of the stream has been in process since that time utilizing Department of Environmental Protection Growing Greener Plus Grants.

- **PA DEP Growing Greener Plus Grant - Watershed Management**

Hanover Engineering was awarded the contract to continue the study in 2016. Jason Smith, PWS at Hanover Engineering met with EAC members and Township Manager Tom Petrucci during 2017, 2018 and 2019 to review progress being made on continued stream testing and restoration measures on land adjacent to the stream.

- The PA DEP approved a Growing Greener grant time extension until December 31, 2019
- The final plan was presented to the Board of Supervisors on June 10, 2019.
- Restoration measures were completed on the Stuber and Achenbach farms during 2019.
- West Branch – Portions of the stream were delisted in the 2018 Integrated Report (PA DEP 2018).
- East Branch – Three tributaries and one (1) segment of the East Branch were sampled and the segments remain impaired for recreational purposes. The tributaries include Delabole Road, Heimer Road Spring and Benders Church Road.
- As part of the Plainfield Township MS4 Pollutant Reduction Plan, Plainfield Township engaged Wildlands Conservancy to assist the Township with developing a plan to conduct streambank restoration activities along portions of the Little Bushkill Creek- six (6) sites in total. In 2020, the Township appointed ARM Group to serve as the professional consultant to develop the specifications in order to obtain the necessary permits from the Pennsylvania Department of Environmental Protection (PA DEP).
- Of the six (6) sites noted above, Site 5 was completed in 2021 by way of an emergency permit that was issued by PA DEP. The scope of work to repair the actively eroding streambank included site grading, the placement of stone, and the installation of log vane structures.
- The remaining five (5) streambank restoration sites are anticipated to be completed in 2022.

- **Little Bushkill Creek Watershed Management Plan - 2021 Proposed Action Plan**

- The draft Little Bushkill Creek Watershed Management Plan 2021 was prepared by Township Manager Tom Petrucci and dated September 24, 2020 and revised after review by the EAC on October 5, 2020.
- During the November 11, 2021 EAC meeting, the EAC members took official action to move forward the draft Plainfield Township Clean Fill Regulations Ordinance to the level of the Plainfield Township Planning Commission and Board of Supervisors.

- **Open Space Program – Open Space Plan Update**

- In accordance with the approved *Little Bushkill Creek Watershed Management Plan – 2021 Action Plan*, which was prepared by the EAC in 2020 and approved by the Board of Supervisors on December 9, 2020, the EAC worked on the following task of the *Action Plan* throughout a significant portion of the 2021 year:

Little Bushkill Creek Watershed Management Plan Task 3: *Authorize the Environmental Advisory Council to commence working on a program to accept and rank applications for the preservation of natural areas. Additionally, the program would prospectively and proactively rank open space areas of the Township that are recommended for preservation (i.e. other than applications received). Templates already implemented by other municipalities should be obtained, reviewed, revised as necessary, and considered for implementation at Plainfield Township. Direct involvement with the Board of Supervisors will be required. Additionally, the administrative policies and procedures at the level of the Municipal Office will need to be developed, reviewed and implemented.*

- Working in tandem with the Township Manager, the EAC members provided extensive feedback, comments and suggestions concerning an amendment to the “Additional Ways to Preserve Open Space” section of the adopted *Plainfield Township Open Space Plan*. The Board of Supervisors approved Ordinance No. 409 to amend the *Plainfield Township Open Space Plan* during the Wednesday, December 15, 2021 regular meeting. An executive summary of the amendment is provided for reference as follows:

Executive Summary

Intent

Plainfield Township has determined it is necessary and prudent to amend and restate the “Additional Ways to Preserve Open Space” section of the Plainfield Township Open Space Plan which was adopted on March 10, 2010 by way of Ordinance No. 343, to further define the policies and procedures by which the Township may preserve additional categories of eligible open space properties that have been appropriately vetted by the Plainfield Township Environmental Advisory Council and the Plainfield Township Board of Supervisors.

The intent of this revised section is to provide Township officials and the general public with an overall guide as to how the Township will review, process and consider open space preservation categories that are not within the scope and purview of the Commonwealth of Pennsylvania Farmland Preservation Program and/or the Northampton County Farmland Preservation Program. In other words, the policies, procedures and methods described in this section shall guide open space acquisitions which will generally require the Township to utilize its Open Space Fund as the primary funding source.

Overview

Plainfield Township has successfully preserved over three-thousand (3,000) acres of farmland, and this section will guide the future usage of Open Space Earned Income Tax (EIT) funds for other open space preservation categories that are further identified herein. However, it is noted that the Township has not expended any Open Space EIT funds as of the date of this revised section to preserve open space properties outside of the category of farmland preservation working in tandem with the Northampton County Farmland Preservation Partnership Program.

The expansion of the Township’s Open Space Program to include additional open space preservation categories will cause the Township to incur additional administrative tasks and responsibilities that

have associated costs, including but not limited to, appraisals, inspections (both prior to preservation and after), surveys, environmental assessments, title searches and legal fees.

The Township will utilize Open Space EIT funds whenever legally permissible in accordance with the relevant statutes and laws of the Commonwealth of Pennsylvania to help offset administrative and legal costs. Additionally, Plainfield Township shall endeavor to supplement the use of Open Space EIT funds with funding from other relevant external organizations, including Northampton County, the Pennsylvania Department of Environmental Protection (PA DEP) and non-governmental agencies (ex. non-profits/conservancies). The use of funding from external organizations shall be evaluated by the Township on a case-by-case basis for each potential open space acquisition.

As the stewards of the environment and natural resources in Plainfield Township, both the Plainfield Township Environmental Advisory Council and the Plainfield Township Board of Supervisors are adopting this revised “Additional Ways to Preserve Open Space” section to affirm the directive given to Township officials by the registered voters of the community to preserve the rural character of Plainfield Township.

In order to accomplish the above-stated goals, this revised section provides for the following policies and procedures:

- Prioritizes conservation easements as the primary tool to utilize for the preservation of properties that are identified to have high resource values, including farmland, environmentally sensitive areas, natural areas, scenic resources, and riparian/greenway corridors. Conservation easements allow the Township to accomplish its identified preservation goals while landowners still retain ownership of their properties.*
- Prescribes various scenarios for fee simple ownership by the Township of real property with high identified conservation values. The instances where fee simple ownership (either on a short-term or long-term basis) may be the ideal option for the Township to pursue are specifically delineated.*
- Highlights the need for the Township to balance the goals and priorities as identified in the Township’s Open Space Plan with the adopted Comprehensive Plan and Official Map (as amended).*
- Establishes the steps that the Township shall follow to evaluate properties that are being considered for preservation, including application submission procedures, application scoring, establishing conservation values, site visits, establishment of baseline documentation of existing properties at the time preservation is being considered, long-term management and maintenance obligations, and ownership strategies. It is the intended goal of the Township to facilitate transparency, equitability, and consistency throughout the evaluation process.*
- Identifies the fact that administrative costs will be required for each potential property acquisition, including appraisals, surveys, closing costs, due diligence activities, legal fees, and real estate commissions. These costs will be borne by the Township.*
- Provides for specific criteria and guidelines that will be used to determine whether or not the Township should acquire properties that have high conservation values, including, but not necessarily limited to, probability of development risks, willingness of property owner to work with the Township, high potential for habitat preservation and restoration, and location.*

➤ **Clean Fill Regulations Ordinance**

- Tom Petrucci successfully obtained a \$10,000 2020 Lehigh Valley Greenways Conservation Landscape Mini Grant, which had a project completion deadline of October 31, 2021, which was subsequently extended to December 15, 2021. The grant required a \$10,000 Township match requirement, which was readily available within the 2021 Plainfield Township Approved Budget.
 - In January, 2021, the Township issued a Request for Proposals (RFP) solicitation request on the PennBid website (<https://pennbid.procureware.com/home>) for a professional planning services consultant to help the Township prepare and adopt a Plainfield Township Clean Fill Regulations Ordinance.
 - The EAC members assisted the Board of Supervisors with undertaking a review of the proposals that were received. In accordance with the recommendation of the EAC, the Township hired Urban Research & Development Corporation (URDC) to provide technical guidance with the preparation of the draft Plainfield Township Clean Fill Regulations Ordinance.
 - The EAC extensively reviewed the draft Plainfield Township Clean Fill Regulations Ordinance documents during the January, March, August, September, October, and November meetings of the EAC. The EAC helped Charlie Schmehl of URDC prepare a draft zoning amendment that would assist in carrying out State environmental regulations to prevent the use of contaminated fill. Plainfield Township would not set its own environmental standards for fill, but would require additional local oversight of large fill operations. The draft ordinance also requires professional independent testing of a sampling of large fill operations, if the State did not require testing. Under the proposed draft ordinance, the Township would require a zoning permit for use of purported clean fill. As part of the permit, the owner of the property or the entity depositing the fill would provide a written statement describing the sources of the material. For larger fill operations, the Township would be given the authority to require periodic random testing of the materials by an independent laboratory, at no cost to the Township, as a condition of the zoning approval.
- **Regional EAC meetings** are held by the EAC members from Bushkill, Lower Mount Bethel, Plainfield, Moore and Upper Mount Bethel Townships. No regional meetings were held in 2021, but these meetings were undoubtedly impacted by COVID-19 restrictions in both 2020 and 2021.
- The EAC participates in conferences, seminars, webinars, and other training opportunities that arise from time to time as offered by organizations such as the Pennsylvania State Association of Township Supervisors (PSATS), the Lehigh Valley Planning Commission (LVPC), and the Lehigh Valley Greenways. Township Manager Tom Petrucci attended a number of such events on behalf of the EAC in 2021.

This report was prepared by Tom Petrucci, Township Manager/EAC Secretary