

**Plainfield Township  
Environmental Advisory Council Meeting  
July 10, 2017**

The Plainfield Township Environmental Advisory Council meeting was held on Monday, July 10, 2017, at 7:00 pm at the Plainfield Township Municipal Building, 6292 Sullivan Trail, Nazareth, PA 18064.

Those in attendance were:

Terry Kleintop, EAC Chairman	Robert Cornman – EAC Vice Chairman- ABSENT
Robin Dingle – EAC Member	Don Moore – EAC Member
Bruce Rabenold – EAC Member	Robert Simpson – EAC Member
Jane Mellert, EAC Secretary and Member	Tom Petrucci – Plainfield Twp. Manager

The meeting was called to order at 7:00 pm.

The Pledge of Allegiance was performed.

**APPROVAL OF THE MINUTES – June 5, 2017 minutes**

**Motion – June 5, 2017 Minutes** - A motion was made by Bob Simpson and seconded by Don Moore to approve the June 5, 2017 minutes. **Vote 6 Yes**

**OLD BUSINESS**

**PA DEP Growing Greener Plus Grant- Little Bushkill Creek**

- **Round #2 of Source Tracking tests are scheduled for August** –On June 14, 2017, the Board of Supervisors reviewed and approved round #2 of source tracking tests. DEP will pay for the lab analyzing costs. Plainfield Township will fund the consultant, Jason Smith, to collect the samples. Terry Kleintop attempted to contact Gary Walters at the DEP but he was unable to make direct contact with him.
- Terry Kleintop, Jason Smith, and Tom Petrucci met with Achenbach regarding some of the improvements to be made within the pasture land on his property. The work should eliminate manure from getting into the stream.

**The following was noted regarding the proposed 2018 Pennsylvania State Budget. Terry Kleintop wrote a note to State Representative Marcia Hahn to get the information.**

- **Growing Greener**– Keystone Recreation and Park Fund should stay in place for 2018
- **Growing Greener Plus** – The Environmental Stewardship Fund will continue to be funded for 2018 but the rest of the programs will not be funded.
- **The Farmland Preservation Program** – The program will have very adequate funding of \$40 million.
- **Growing Greener #3** – May get some funding. If the State Legislatures do not get the funding in now they will come back in the fall. Over 50% of the House and 50% of the Senate supported. Want to fund with \$315 million.

### **West Branch of Little Bushkill Creek- PA Fish and Boat Commission July 2017 Meeting**

The PA Fish and Boat Commission will vote this week on the inclusion of new sections along the West Branch of the Little Bushkill Creek to be designated as a wild trout stream (brown trout). This matter was discussed at the June 14, 2017 Board of Supervisors meeting.

### **Plainfield Township Zoning Ordinance and Farmland Preservation Regulation Revision– Ordinance #307 Update on the Revisions**

- Township Manager, Tom Petrucci, had nearly a four hour meeting with Maria Bentzoni on Monday, June 5<sup>th</sup>, 2017 in order to discuss the current issues in regards to the Farmland Preservation guidelines.
- David Backenstoe and Tom Petrucci met with Maria Bentzoni and reviewed case studies in order to determine whether it is feasible to change the Zoning Ordinance to better address the impact to Conservation by Design Zoning on preserved farmland. Tom Petrucci reported that Solicitor Backenstoe recommended leaving the ordinance as it is written. Landowners that are not able to meet the Plainfield Township zoning and subdivision requirements for the land that was excluded under the Northampton County Farmland Preservation process will need to seek relief through the Zoning Hearing Board by applying for variances as necessary.
  - The requirement for a building lot under the Conservation by Design Ordinance is 5 acres even when all of the other land on the parcel has been preserved around the lot area. It was noted that if the Township goes back to the old form of 1 ½ acre zoning for residential lots in the Farm and Forest Zoning District it will open up land for development. It is difficult to solve one landowner's problem but then not be able to solve another person's problem. It was noted that landowners should be aware of the regulations and review the zoning with the Township staff prior to preserving.

Jane Mellert noted that there are landowners that did consult with the Township and reviewed the Township regulations prior to preserving land but the regulations changed and/or the landowner was not given the right information. Ms. Mellert requested to review additional information.

**Motion – Report on Zoning Review** - Bob Simpson made a motion to have Tom Petrucci and David Backenstoe compile a report of the findings from researching the possibility to revise the zoning in order to accommodate the problem areas that exist with exclusion areas on land that is preserved. Robin Dingle seconded the motion. Jane Mellert and Tom Petrucci will talk to David Backenstoe regarding the findings prior to the report being submitted. The EAC will review the information at the August meeting. **Vote: 6 Yes**

Terry Kleintop noted that a resident discussed the possibility of purchasing land and starting a winery with a winery. He noted the land area needed would be approximately 29 acres.

Township Manager Tom Petrucci is researching zoning regarding a business with retail within the Farm and Forest Zoning District.

Two draft ordinances will be reviewed at the next Planning Commission meeting one for Air B and B's, Winery, Vineyards, Brew Pub, etc. and Ordinance #382

**Earned Income Tax Rate**– The EAC discussed whether the Plainfield Township EIT tax rate should remain the same or be adjusted. Another Township has it placed on the referendum for the voters to decide.

- The EAC would like to see an outline from the Board regarding implementing a plan for spending the EIT over the next 5 years. A Plan A and a Plan B could be considered in order to prioritize how to spend the funds.

**Motion** - Bob Simpson made a motion to keep the EIT on the agenda in order to review moving forward with a plan to expend EIT funds. Don Moore seconded. Jane Mellert noted the motion was seconded, however, the motion was not moved forward for a vote. A vote is not needed in order to keep this item on the agenda.

### **Rails to Trails**

- Tom Petrucci noted that a plan for Trails is being put into place. The plan will include parcels to acquire. The plan should be complete in one year. Mr. Petrucci will be meeting with Bryan Cope the Scenic, Wild Delaware River Geotourism and Stewardship Council Chair.

### **Northampton County Farmland Preservation- County Municipal Partnership Program**

- Terry Kleintop does not have information regarding funding for the Northampton County 2018 Budget for Farmland Preservation.
- Information regarding any issues addressed at the Northampton County Farmland Preservation Meetings has not been received.
- Plainfield Township should continue to do outreach to landowners regarding preservation.

### **2016 and 2017 Northampton County Farmland Preservation Easement Purchase Update**

- No update was presented

### **Mini-Grant- Appalachian Trail Conservancy Assessment and Evaluation of Plainfield Township's SALDO and Zoning Ordinances - \$17,500 Grant, Matching Funds of \$3,500.00**

- On June 14, 2017 the Board of Supervisors awarded the Professional Services Contract to URDC in the bid award amount of \$16,900.
- The EAC will be the committee to review the information and the Planning Commission will also be involved in the review process.
- URDC will draft an ordinance for review. Tom Petrucci will inquire whether a subcommittee is needed. They are working on the view shed report. Information should be available by September for review.

### **Ordinance #357 Tree Protection and Timber Harvest Management Ordinance Revisions**

Tom Petrucci reported that he sent the letter from the Attorney General regarding Pennsylvania Timber Harvesting regulations to the Lehigh Valley Planning Commission. Becky Bradley the LVPC Executive Director is reviewing the letter. The current LVPC timber model ordinance may be in conflict with the information noted in the attorney general's letter. A newly hired LVPC employee is in the process of reviewing the regulations in order to determine if it is compliant with the State laws and regulations.

Terry Kleintop recently reviewed a Timber Harvest Ordinance from Wallace Township in Chester County. It noted the Ordinance seems to be well written.

The Township should inquire about the Best Management Practices and determine if the regulations are adequate.

Tom Petrucci noted that memorandums of understanding will be needed regarding erosion and sedimentation controls, and a definition should be included in the MS4 permit.

A question that needs further study is how tree felling can be regulated.

### **Ordinance #342 Maintenance and Preservation of Riparian Buffers and Open Space Revisions**

- Terry Kleintop copied the EAC Members on Act #162 of 2014 which is State Representative Marcia Hahn's legislation. Act #162 removed the 150 foot buffers.
- Two new bills are being proposed to address riparian buffers. House Bill # 1053 Legislation by State Representative Rafferty which is 22 pages long and has very strict regulations and House Bill #784 by State Representative Santoro which provides in depth explanations and attempts to correct the deficiencies of HB#162.

The Township Manager has been evaluating possible revisions to Ordinance #342.

### **NEW BUSINESS**

**Synagro Biosolids Permit Application** - The Planning Commission is reviewing the Zoning Officers opinion letter on the application from Synagro. After the review, the Planning Commission has to vote yes or no on the whether the permit is to be issued or denied. The use is a permitted use within the Solid Waste Zoning District. The application must meet the regulations and a site plan review will be conducted by the Planning Commission. Zoning permits are not conditionally approved as per the regulations in the Plainfield Township Zoning Ordinance.

### **Legislative Budget and Finance Committee- PA's Program for Beneficial Use of Biosolids (Sewage Sludge) by Land Application – Report by Philip Durgin, Executive Director on June 27, 2017**

- House Resolution #60 of 2016 directed the Legislative Budget and Finance Committee to review the Commonwealth's program for the beneficial use of sewage sludge by land application including the methods that the Department of Environmental Resources uses to administer and enforce the program and alternative methods currently being utilized to dispose of biosolids. An 80 plus page report was presented on June 27, 2017.
- Biosolids and sewage sludge are sometimes used interchangeably.
- In PA about half 46% of biosolids are sent to landfills, about 38% are land applied and about 15% are incinerated.
- Land application is \$145 per dry ton, landfilling \$260 per dry ton and incinerating \$290 per dry ton.
- The EPA strongly favors land application over landfilling or incineration. The report noted that odors are the biggest threat to the beneficial use of biosolids through land application.
- The PA regulations were compared to several nearby States.
- Alternate methods for disposal of biosolids are being researched.

**2016 State of Kittatinny Report** - Jean Ortiz emailed a notification asking EAC's to share the top 2016 EAC accomplishments. EAC's are limited to no more than 5 bullet points.

**PUBLIC COMMENT**

**None**

**MEETING ADJOURNMENT**

**Motion - Meeting Adjournment** – A motion was made by Don Moore and seconded by Robin Dingle to adjourn the meeting at 9:56 pm. **Vote: 6 Yes**

Respectfully Submitted,

Jane Mellert, EAC Secretary  
Plainfield Township

1<sup>st</sup> Draft from July 10, 2017

