March 20, 2018

RE: Slate Belt Heat Recovery Center – Grand Central Sanitary Landfill, Inc.
Zoning Officer Responses to Preliminary Land Development Application

Dear Attorney Goodrich:

The following materials were received and reviewed for the above-referenced matter:

- Preliminary Land Development Application and Checklist, received February 23, 2018
- Project Narrative, dated February 23, 2018
- Preliminary Land Development Plan set, dated February 6, 2018
- Trucking Turning Exhibits, dated February 6, 2018
- Stormwater Management Report and calculations
- February 20, 2018 Owner Acknowledgement from GCSL
- Steep Slope Narrative dated May 2017, last revised September, 2017
- 1997 Recorded Easement Agreement
- 2007 DEP approval of the land use for “Developed Water Resource” for the reclaimed Doney II Quarry
- Haarslev Equipment Brochure
I. **Additional Requirements for Material Separation Facility (Slate Belt Heat Recovery Center), §27-316 (2) (II)**

The Project Narrative dated February 23, 2018 confirms the proposed use as a “Material Separation Facility,” which is a land use specifically defined within §27-202 of the Code of Ordinances of Plainfield Township. The Land Development Plans show a combination of two principal uses permitted by right and their accessory uses. The Zoning Officer is in agreement that the **combination** (emphasis added) of the two principal uses and their accessory uses are permitted by right in the Solid Waste Processing and Disposal District (SW) on the same lot, as per §27-319 (2). The two uses are as follows:

- Material Separation Facility (Proposed), §27-319 (2) (C);
- Refuse Derived Fuel Facility (Existing), §27-319 (2) (F).

It is the determination of the Zoning Officer that the proposed use of the Slate Belt Heat Recovery Center is a Material Separation Facility, which is a Permitted-by-Right Use within the Solid Waste Processing and Disposal District (SW) only. The Material Separation Facility has additional requirements for the Permitted-by-Right Use as set forth in §27-316 (2) (II) as follows:

1. **The site shall contain at least three (3) acres for any facility with a capacity to treat or dispose of up to 300 tons of solid waste per day. The size of the site shall be increased by two additional acres of land for each additional capacity of 100 tons per day, or fraction thereof.**

2. **Entrances and exits to the facility shall be separated and clearly designated; entrances and exits shall each be at least 30 feet in width and shall be located along either an arterial or collector road.**

3. **All access roads shall be paved.**

4. **Measures and procedures to prevent and minimize fire hazard shall be established and practiced at the site or facility. A report describing these procedures shall be provided to the Township.**

5. **Each facility shall be operated and maintained in such a manner as to minimize health hazards, odors, dust, noise, environmental degradation, unsightliness, the attraction, harborage or breeding of insects, rodents or vectors and to eliminate conditions which create safety hazards or impose an undue burden upon the Township or its municipal services infrastructure.**

6. **The operation of the facility shall comply with all applicable State and Federal regulations.**
7) The facility shall comply with the performance standards in this Chapter (Part 5).

In reviewing the additional requirements for the Permitted-by-Right Use as set forth in Section §27-316 (2) (II) as listed above, the Zoning Officer offers the following comments in **bold**:

1) The site shall contain at least three (3) acres for any facility with a capacity to treat or dispose of up to 300 tons of solid waste per day. The size of the site shall be increased by two additional acres of land for each additional capacity of 100 tons per day, or fraction thereof.

Written confirmation from the Pennsylvania Department of Environmental Protection (PA DEP) is required in order to determine that the proposed Material Separation Facility use is consistent with the permitted post-mining use of “Developed Water Resources” as identified by the Applicant via a letter from a PA DEP official dated December 17, 2007. The site already has a post-mining designated use, and written confirmation is required that the permitted post-mining use may be combined with the Material Separation Facility use.

§27-316 (2) (II) (1) requires an additional two (2) acres of land for each one hundred (100) tons of waste per day. The Applicant has indicated that they will provide annual waste tonnage reports to the Township during the operational life of the facility in order to ensure ongoing compliance with this Section. Because the proposed lot size is now 12.05 acres and there are two uses on the proposed lot, the Zoning Officer is requiring that the Slate Belt Heat Recovery Center lease line be marked on the plan to delineate the area specifically that is part of the Slate Belt Heat Recovery Center/Material Separation Facility and what is identified for use by the Green Knight Landfill Gas-to-Energy plant- the Refuse Derived Fuel Facility, which is a separate use requiring a minimum of 3 acres of lot area. The two uses are currently proposed to use land on the lot that is shared by both controlling entities (Synagro Technologies, Inc. and Green Knight Economic Development Corporation), so it is necessary for the Applicant to clearly identify which land areas are to be reserved for each use.

In addition, a covenant shall be placed on the recorded Land Development Plan which limits the capacity of the Applicant to treat or dispose waste up to 400 tons of waste per day. The purpose of both of these requests is to eliminate any future ambiguity as to the number of tons of waste being treated/disposed in the future. For example, a 12.05 acre lot that is dedicated solely to the Material Separation Facility use would permit the Applicant to treat/dispose of up to 750 tons per day. There should not be any future ambiguity on the part of the Township or the Applicant with respect to how many tons of waste the Applicant wishes to treat/dispose of per day now or in the future.
2) *Entrances and exits to the facility shall be separated and clearly designated; entrances and exits shall each be at least 30 feet in width and shall be located along either an arterial or collector road.*

Pursuant to the requirements set forth in §27-316 (2) (II) (2), the proposed entrance and exit to the facility are not located along either an Arterial or Collector road. The proposed entrance and exit to the facility is located along an interior access drive “haul road” of the Grand Central Sanitary Landfill. It is the determination of the Zoning Officer that the conditions and provisions associated with this additional requirement are not being met.

**Variance Required (#1):** A Variance is required from Section §27-316 (2) (II) (2) of the Code of Ordinances of Plainfield Township due to the fact that the proposed entrance and exit to the facility are not located along either an arterial or collector road.

3) *All access roads shall be paved.*

The proposed driveway, access roads, and loading areas are shown on the plans as areas to be paved.

4) *Measures and procedures to prevent and minimize fire hazard shall be established and practiced at the site or facility. A report describing these procedures shall be provided to the Township.*

The Applicant has indicated they will comply with the ordinance and with all applicable building and fire codes. A written report demonstrating facility compliance with the applicable codes and standards will be submitted by the applicant as part of the building permit submission. The report should be to the satisfaction of the Fire Department Chief, the Zoning Officer, the Township Building Code Official, and the Emergency Management Coordinator.

5) *Each facility shall be operated and maintained in such a manner as to minimize health hazards, odors, dust, noise, environmental degradation, unsightliness, the attraction, harborage or breeding of insects, rodents or vectors and to eliminate conditions which create safety hazards or impose an undue burden upon the Township or its municipal services infrastructure.*

The Applicant has indicated that evidence of all required state and federal permits required for operation and the results of all required compliance reviews and notifications to regulatory agencies will be submitted to Plainfield Township at the time of the building permit application submission. The permits required for the Slate Belt Heat Recovery Center are identified by the Applicant as follows:
• PA DEP GCSL Minor Modification
• PA DEP Solid Waste General Permit for Synagro
• PA DEP Water Quality Permit for construction activities
• PA DEP Individual NPDES Permit for Synagro Industrial Activities
  (Stormwater runoff from Synagro operations area, including discharge monitoring)
• PA DEP Green Knight Air Permit Request for Determination
• PA DEP Synagro Air Quality Permit

It is the recommendation of the Zoning Officer to the Plainfield Township Board of Supervisors that as a condition of any future approval of this proposed use and the occupancy of any proposed structure associated with this use, that evidence that all performance standards are complied with be provided via certification of tests by appropriate government agencies, or be recognized testing laboratories (with the costs to be borne by the applicant), pursuant to §27-410 (Performance and Traffic Impact Requirements) of the Code of Ordinances of Plainfield Township.

Under the authority of §27-410, the Township is requesting the performance standards data of similar facilities and the specific methods employed by the Applicant to operate existing similar facilities in such a manner as to minimize health hazards, odors, dust, noise, environmental degradation, unsightliness, the attraction, harborage or breeding of insects, rodents or vectors and to eliminate conditions which create safety hazards or impose an undue burden upon the Township or its municipal services infrastructure.

Under the authority of §27-410, the Township will also require performance data and the specific methods as to how the Applicant proposes to operate the proposed facility in such a manner as to minimize health hazards, odors, dust, noise, environmental degradation, unsightliness, the attraction, harborage or breeding of insects, rodents or vectors and to eliminate conditions which create safety hazards or impose an undue burden upon the Township or its municipal services infrastructure.

Once the facility is operational, the Township will also require performance data and the specific methods as to how the Applicant is operating the facility in such a manner as to minimize health hazards, odors, dust, noise, environmental degradation, unsightliness, the attraction, harborage or breeding of insects, rodents or vectors and to eliminate conditions which create safety hazards or impose an undue burden upon the Township or its municipal services infrastructure, pursuant §27-410.

6) The operation of the facility shall comply with all applicable State and Federal regulations.

The Zoning Officer cannot make a final determination at this time as to whether the operation of the facility complies with all applicable State and Federal regulations.
The following information shall be provided before any zoning or building permits can be issued to the satisfaction of the Zoning Officer, Planning Commission, Township Engineer, and the Sewage Enforcement Officer:

1. Evidence of PennDOT Highway Occupancy Permit compliance, as applicable. The Applicant has stated that Grand Central Sanitary Landfill already has a PennDOT Highway Occupancy Permit (HOP) (Permit #05019788) for the S.R. 512 entrance and exit, and no further improvements are required. The Zoning Officer is requesting the following information:

   • Has the PennDOT Permit Office for Northampton County been contacted?

   • Written confirmation from PennDOT officials is required in order to demonstrate that this use will not trigger any required additional improvements.

2. Evidence of Act 537 (Pennsylvania Sewage Facilities Act) compliance from the Pennsylvania Department of Environmental Protection. The Applicant has indicated that they will obtain an Act 537 plan amendment and a letter from the Pen Argyl Borough Municipal Authority. The Township Zoning Officer will defer any and all comments on this matter until such time that the letter from the Pen Argyl Borough Municipal Authority is received.

3. Evidence of Water Obstruction Act of 1913 compliance. The Applicant has indicated that there is no obstruction to any waterbody. However, within the Notification of Individual NPDES Permit Application- Stormwater Runoff from Industrial Activities General Information Form (received by the Township on March 13, 2018), it was noted by the Township that the Applicant checked off that the project will involve the following: placement of fill, excavation within or placement of a structure, located in, along, across or projecting into a watercourse, floodway or body of water in order to modify Sedimentation Basin No. 2. Clarification is requested from the Applicant with respect to this item.

4. Evidence of Solid Waste Management Act, Act 97 of 1980 (including amendments) compliance from the Pennsylvania Department of Environmental Protection. The Applicant has noted that Grand Central Sanitary Landfill, Inc. will apply for a Minor Modification to the GCSL solid waste management permit. The Zoning Officer is
requesting additional information from the Applicant in order to identify the scope and specific nature of the Minor Modification.

5. Evidence of Municipal Waste Planning, Recycling and Waste Reduction Act compliance from the Pennsylvania Department of Environmental Protection. Plainfield Township requests a copy of the entire PA DEP Municipal Waste General Application submitted to the PA DEP Northeast Regional Office by the applicant, Slate Belt Heat Recovery Center, LLC.

6. Evidence of Act 167 Stormwater Management Act/Plainfield Township Stormwater Ordinance (Bushkill Creek, Martins/Jacoby Creek and Delaware River Sub-Basin 1 Watersheds Act 167 Stormwater Management Ordinance). The Planning Commission, Township Engineer and Zoning Officer will consider the comments from the Lehigh Valley Planning Commission (LVPC) once received. The Applicant shall address any and all Stormwater Management comments identified by the Township Engineer.

7. Evidence of Federal Water Pollution Control Act Amendments of 1972 (Section 404, 33, U.S.C. 1334) compliance. The Applicant has indicated that a Section 404 permit is not required for the proposed Material Separation Facility use.

8. Evidence of Clean Streams Law compliance from the Pennsylvania Department of Environmental Protection and the Northampton County Conservation District (including but not limited to Chapter 93, Chapter 102 and Chapter 105). The Applicant has indicated that a PA DEP Individual NPDES Permit will be applied for. Plainfield Township requests a copy of all Individual PA DEP NPDES Permit Applications submitted to the PA DEP Northeast Regional Office by the applicant, Slate Belt Heat Recovery Center, LLC.

9. Evidence of Clean Air Act compliance from the Pennsylvania Department of Environmental Protection Bureau of Air Quality and the Environmental Protection Agency (EPA), as required. The Applicant has indicated an Air Quality Permit will be applied for. Plainfield Township requests a copy of the entire PA DEP Municipal Air Quality Plan Approval Application submitted to the PA DEP Northeast Regional Office by the applicant, Slate Belt Heat Recovery Center, LLC.
10. Jurisdictional determinations from the Army Corps of Engineers and the Pennsylvania Department of Environmental Protection (PA DEP) as to whether the Sedimentation Basin No. 2/Sediment Pond as shown on the Sketch Plan are considered to be “Waters of the United States” or “Waters of the Commonwealth”. The appointed Wetlands Consultant of Plainfield Township shall confirm that Sedimentation Basin No. 2 is neither “Water of the United States” nor “Waters of the Commonwealth”.

11. Evidence of Pennsylvania Natural Diversity Inventory (PNDI) compliance. The Applicant has indicated that they are in the process of complying with all applicable PNDI requirements.

12. Evidence of compliance with all applicable Pennsylvania Historical and Museum Commission notification requirements. The Applicant has indicated that they are in the process of complying with all applicable Pennsylvania Historical and Museum Commission requirements.

13. Evidence from the Pennsylvania Department of Environmental Protection that the proposed site and use complies with the current approved Operating Permit of the Grand Central Sanitary Landfill (Facility ID No. 100265). The Applicant has noted that Grand Central Sanitary Landfill, Inc. will apply for a Minor Modification to the GCSL solid waste management permit. The Zoning Officer is requesting additional information from the Applicant in order to identify the scope and specific nature of the Minor Modification, including a copy of the entire Minor Modification Permit submission to the PA DEP Northeast Regional Office.

14. Evidence that the proposed wastewater backhaul option as described by the Applicant within the Description of Project Intent is compliant with all applicable PA DEP and Pennsylvania Department of Transportation provisions and regulations, as applicable.

15. Evidence that the proposed fill-in and reduction in size of the Sedimentation Basin No. 2 is approved by the Pennsylvania Department of Environmental Protection. The Applicant has indicated that they will apply to PA DEP to modify Sedimentation Basin No. 2, as well as to apply for an Individual NPDES Permit for Stormwater Runoff from Industrial Activities to account for the discharges with respect to the proposed Material Separation Facility use. Plainfield Township requests a copy of all Individual PA DEP
NPDES Permit Applications submitted to the PA DEP Northeast Regional Office by the applicant, Slate Belt Heat Recovery Center, LLC.

16. Evidence from relevant agencies that all of the applicable State and Federal permits as identified within the BCM Engineers letter as compiled by Mr. Michael J. Brunamonti, P.E. and dated March 8, 2018. This requirement shall include any subsequent amendments to the BCM Engineers letter dated March 8, 2018 that may be issued in the future.

§27-802 (1) (C) (3) of the Code of Ordinances of Plainfield Township reads as follows:

Prior to the issuance of any Zoning Permit, the Zoning Officer shall review the application for such permit to determine if all other necessary governmental permits (such as those required by State and Federal laws such as but not limited to Act 537, the Pennsylvania Sewage Facilities Act, the Water Obstruction Act of 1913, the Uniform Construction Code, the Clean Streams Law and the Federal Water Pollution Control Act Amendments of 1972. Section 404, 33, U.S.C. 1334) have been obtained. No permit shall be issued until the applicant has provided written evidence to the satisfaction of the Zoning Officer that all other required permits from all governmental agencies (either of the Commonwealth of Pennsylvania or Federal) have been obtained.

The Plainfield Township Zoning Ordinance requires the Applicant to obtain prior approvals for all required governmental permits. No zoning or building permits shall be issued until such time that all required governmental permits are obtained by the Applicant and proof of compliance is furnished to the Township, as required by Section §27-410 and §27-802 (1) (C) (3) of the Code of Ordinances of Plainfield Township.

7) The facility shall comply with the performance standards in this Chapter (Part 5)

Pursuant to §27-410 (Performance and Traffic Impact Requirements) (2) (General Application) of the Code of Ordinances of Plainfield Township, it is the recommendation of the Zoning Officer to the Plainfield Township Board of Supervisors that as a condition of any future approval of the proposed Material Separation Facility use and the occupancy of any proposed structure associated with this use, that evidence that all performance standards are complied with be provided via certification of tests by appropriate government agencies, or be recognized testing laboratories (with the costs to be borne by the applicant). It is the recommendation of the Zoning Officer that specific types of equipment, machinery and devices are installed or used as required in order to determine whether or not the proposed operation is in compliance with all applicable performance standards.

The Applicant shall furnish proof to the Township that the proposed use shall be developed in a manner consistent with the preservation of the quality of the existing environment and of any natural amenities present on the site.

The Applicant shall furnish proof to the Township to the satisfaction of the Township Engineer and the Zoning Officer that the use provides for the preservation and minimum destruction of natural drainage areas, minimum grading and destruction of the ground surface, the preservation of substantial stands of trees and forested areas, and the preservation of attractive views and any other natural amenities and features on the existing site.

Evidence from relevant agencies (State or Federal) that the environment of any endangered species located on the proposed site will not be disturbed is required prior to the issuance of any zoning or building permit.

§27-410 (Performance Requirements/Standards) shall apply in order to determine and confirm compliance with this Section.


The applicant shall furnish proof to the Township that the proposed structure shall not be used or occupied in a manner that creates a dangerous, injurious, noxious, or otherwise objectionable condition, fire, explosion, or other hazards, heat, electromagnetic or other radiation, noise or vibration in violation of Plainfield Township noise regulations under §27-410, smoke, dust, odor or other form of air pollution, or any other condition in such manner or on such amount as to adversely affect the reasonable use or value of the surrounding area or adjoining premises or be dangerous to public health or safety.

Under the authority of §27-410 of the Code of Ordinances, the Township is requesting the performance standards data of similar facilities and the specific methods employed by the Applicant to operate existing similar facilities in such a manner that demonstrate that the proposed facility and structure shall not be used or occupied in such a manner that creates a dangerous, injurious, noxious, or otherwise objectionable condition, fire, explosion, or other hazards, heat, electromagnetic or other radiation, noise or vibration in violation of Plainfield Township noise regulations under §27-410, smoke, dust, odor or other form of air pollution, or any other condition in such manner or on such amount as to adversely affect the reasonable use or value of the surrounding area or adjoining premises or be dangerous to public health or safety.

The Township will also require performance data and the specific methods as to how the Applicant proposes to operate the proposed facility and structure in such a manner that demonstrate that the proposed structure shall not be used or occupied in a manner that creates a dangerous, injurious, noxious, or otherwise objectionable condition, fire, explosion, or other hazards, heat, electromagnetic or other radiation, noise or vibration in
violation of Plainfield Township noise regulations under Section 410, smoke, dust, odor or other form of air pollution, or any other condition in such manner or on such amount as to adversely affect the reasonable use or value of the surrounding area or adjoining premises or be dangerous to public health or safety.

Once the facility is operational, the Township will also require performance data and the specific methods as to how the Applicant is operating the facility in such a manner that will not create a dangerous, injurious, noxious, or otherwise objectionable condition, fire, explosion, or other hazards, heat, electromagnetic or other radiation, noise or vibration in violation of Plainfield Township noise regulations under §27-410, smoke, dust, odor or other form of air pollution, or any other condition in such manner or on such amount as to adversely affect the reasonable use or value of the surrounding area or adjoining premises or be dangerous to public health or safety.

Pursuant to §27-502 of the Code of Ordinances, the Applicant is required to demonstrate that the plant and operation of the plant will not adversely affect the reasonable use or value of the surrounding area or adjoining premises or be dangerous to public health or safety.

§27-503. Steep Slope Overlay District.

The Applicant has provided a Steep Slope Narrative dated May, 2017 (and revised September, 2017) which indicates that the Applicant is in compliance with §27-503 for the following summarized reasons:

- The Steep Slopes are 100% manmade and are Class C per the Township Zoning Ordinance;
- The site location does not fall within 40 feet upgrade or downgrade of any Class A or B slope;
- The proposed project complies with steep slope requirements of the Township; and
- Steep slopes will continue to be depicted on the Preliminary and Final Land Development Plans.

It is the determination of the Zoning Officer that the Applicant has demonstrated compliance with §27-503 to the maximum extent that is feasible.

§27-504. Areas with High Water Table.

Proof shall be furnished to the Township that the proposed land use will not directly (by means of effluent discharge into the ground) or indirectly (through the leaching of stored materials) result in the pollution of groundwater. Such a use would be prohibited from developing in any area which has a year-round or seasonal high water table which comes...
within any distance of the ground surface, which violates Pennsylvania Department of Environmental Protection regulations. The determination of such hazards shall be made by the appropriate State agency and/or by a qualified sanitary engineer, geologist or soil scientist approved by the Board of Supervisors.

The Applicant is representing that the lot is not located within a high water table area. The Zoning Officer is specifically referring to §27-504 (2) of the Zoning Ordinance, which states that the determination of such hazards as described by §504 (1) shall be made by the appropriate State agency and/or by a qualified sanitary engineer, geologist, or soil scientist approved by the Board of Supervisors.

The determination of hazards has not been made at this time by either PA DEP and/or by a qualified sanitary engineer, geologist, or soil scientist approved by the Board of Supervisors; therefore, the requirements of §27-504 are not currently being met. The Applicant shall furnish proof of compliance with §27-504 in accordance with the requirements of the ordinance and prior to the issuance of any zoning or building permits.


The proposed Land Development plan does not appear to comply with §27-505 (Development Along Waterbodies) of the Code of Ordinances. Pursuant to §27-505 of the Code of Ordinances, all areas within 50 feet of the banks of any streams, lake or pond shall be in open space. There is not 50 feet of open space between the proposed structures/improvements and the sediment pond.

Variance Required (#2): A Variance is required from Section §27-505 of the Code of Ordinances of Plainfield Township to allow for an area of open space between the proposed structures/improvements and the pond that is less than 50 feet.

§27-506. Alluvial Soils Areas.

The applicant shall furnish proof to the Zoning Officer that the areas proposed for the development are not within an “Alluvial Soils” area.

The Applicant is representing that the existing soils are mapped on the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Custom Soil Resource Report for Northampton County, Pennsylvania as furnished to the Township by the Applicant within the Steep Slopes Narrative as “Appendix A” as “PQ-Quarries” and not an alluvial soil. The proposed project area is not located within an “Alluvial Soils” area.

§27-507. Flood Plain Regulations.

The Applicant has represented that they have identified the limits of “Zone A” on the Land Development Plan and that they are in compliance with the Flood Hazard Overlay District requirements of Plainfield Township. The Applicant has identified the
approximate boundaries of the Flood Plain; the project area is not located within a Special Flood Hazard Area.


All NPDES, Northampton County Conservation District and Department of Environmental Protection regulations shall apply to this proposed use. A zoning permit is required before any activities that require the moving of earth or the filling or excavation of an area can commence.

The Applicant has represented that §27-508 of the Code of Ordinances of Plainfield Township will be complied with. As noted elsewhere in this letter, no zoning or building permits can be issued until such time that the Applicant provides the Township with written authorizations from PA DEP and the Northampton County Conservation District prior to the issuance of any zoning or building permits.

§27-509. Outdoor Storage Control.

The Applicant has confirmed that no outdoor storage facilities are proposed for this site. However, it is the recommendation of the Zoning Officer that the issuance of any zoning permit in the future be conditioned upon the Applicant’s representation that no outdoor storage facilities are proposed for the site.

Further, written evidence is required from the Applicant to the satisfaction of the Zoning Officer that the proposed indoor storage for the facility is sufficient enough that there will not be any overflow storage facilities required at any time during the operation and use of the facility for its entire operational life.

§27-510. Sewage Waste Treatment and Disposal Control.

Evidence of Act 537 (Pennsylvania Sewage Facilities Act) compliance from the Pennsylvania Department of Environmental Protection shall be required.

All current/future comments concerning the Sewage Plan, sanitary systems and sanitary waste disposal from the Township Engineer, representatives of the Pen Argyl Municipal Authority, and PA DEP shall be addressed by the Applicant.


The applicant shall furnish proof that the proposed use is in compliance with the Sound Level Limits by Receiving Land Use and time as set forth in §27-511 (1) of the Code of Ordinances. §27-511 (1) (2) (3) (4) and (5) of the Code of Ordinances shall apply for an Industrial use.

In order to determine compliance with §511 of the Plainfield Township Code of Ordinances, a decibel reading will be required by the Zoning Officer at the receiving
property line for the operations of similar facilities prior to the issuance of any zoning permit. If at such time a zoning permit is issued for this proposed use and facility, the Zoning Officer will require a decibel reading at the receiving property lines once the proposed facility and use is in operation. §27-410 (Performance Requirements/Standards) shall apply in order to determine and confirm compliance with this Section.


§27-410 (Performance Requirements/Standards) shall apply in order to determine and confirm compliance with this Section.

§27-513. Dust, Dirt, Smoke, Vapors, Gases and Odors Control.

§27-410 (Performance Requirements/Standards) shall apply in order to determine and confirm compliance with this Section.

§27-514. Light, Glare and Heat Control.

§27-410 (Performance Requirements/Standards) shall apply in order to determine and confirm compliance with this Section.

§27-515. Electric, Diesel, Gas or other Power.

§27-410 (Performance Requirements/Standards) shall apply in order to determine and confirm compliance with this Section.

§27-516. Control of Radioactivity, Electrical Emissions and Electrical Disturbances.

§27-410 (Performance Requirements/Standards) shall apply in order to determine and confirm compliance with this Section.

The final determination of proof of compliance with the provisions of Part 5 shall be made to the satisfaction of the Township Zoning Officer, the Township Engineer, the Building Code Official and any other qualified expert that the Township employs in order to provide a scientific or engineering opinion prior to the issuance of any zoning or building permits. §27-410 (Performance Standards) shall apply in order to determine and confirm compliance with this Section.

II. §27-410 Performance Requirements.

§27-410 (Performance and Traffic Impact Requirements (1) (Performance Impacts) of the Code of Ordinances of Plainfield Township reads as follows:

1. Performance Impacts. No use shall be permitted in any district if it is to be operated in such a manner so as to create any of the following which would compromise the Township health, safety and/or welfare:
A. Unsafe conditions which could cause danger of or injury resulting from fire, explosion, radiation or other dangerous results.

B. A significant adverse environmental impact which will adversely affect the premises or the surrounding areas. The adverse environmental impacts could result by reason of the emission of smoke, dust, fumes, ash, particulate matter, odor, noise, vibration, radiation, electrical emissions, water runoff, groundwater pollution, stream channel or floodplain changes, soil erosion, stream sedimentation, light, glare, historic site impact, traffic impact or any other adverse impact upon the environment. A use could become a prohibited use if the applicant cannot or will not mitigate its adverse environmental impacts so that these impacts are reduced to an insignificant level of impact consistent with applicable federal, state and/or local regulations and standards. The Board of Supervisors shall make all determination as to whether a use has significant adverse impact upon the environment.

In order to provide the necessary information to the Board of Supervisors to assist the governing body with making the determination as to whether the proposed use compromises the public health, safety, and welfare, the adverse environmental impacts as listed within §27-410 (1) (A) and (B) shall be reviewed locally in accordance with the following standards:

1. Conduct a study, in advance, and identify the current, cumulative, and future effects of adverse environmental impacts of all activities associated with the proposed use. The study must identify and assess direct and indirect environmental effects that can be negative or positive; identify and assess impacts that are immediate, short-term or long-term; and which impacts can be incremental, compounding over time, or develop over the passage of years;

2. Determine whether and to what degree the effects or impacts will infringe unreasonably upon or violate the protected rights and values (air, water, scenic, historical, natural, and esthetic) or unreasonably cause actual or likely deterioration of the listed values; and

3. Unless the unreasonable effects or impacts of all activities associated with the proposed use can be eliminated, or reduced to a level where the impacts are not unreasonable, then the use cannot be permitted, pursuant to the requirements of §27-410 (1) (A) and (B).

Pursuant to §27-410 (Performance and Traffic Impact Requirements) (2) (General Application) of the Code of Ordinances of Plainfield Township, it is the recommendation of the Zoning Officer to the Plainfield Township Board of Supervisors that as a condition of any future approval of the proposed Material Separation Facility use and the occupancy of any proposed structure associated with this use, that evidence that all
performance standards are complied with be provided via certification of tests by appropriate government agencies, or be recognized testing laboratories (with the costs to be borne by the applicant). It is the recommendation of the Zoning Officer that specific types of equipment, machinery and devices are installed or used as required in order to determine whether or not the proposed operation is in compliance with all applicable performance standards.

Permits and certificates required by other government agencies shall be submitted to the Zoning Officer as proof of compliance with applicable codes. Regulation of Nuisance Characteristics and the Standards to be Enforced shall be in accordance with §27-410 (3) and (4) of the Code of Ordinances of Plainfield Township and all applicable State and Federal regulations.

III. §27-410 (4) Standards to be Enforced.

§27-410 (Performance and Traffic Impact Requirements (4) (Standards to be Enforced) of the Code of Ordinances of Plainfield Township reads as follows:

A. Air Pollution. No substance shall be emitted into the atmosphere in quantities which are injurious to humans, plant or animal life or to property, or which will interfere unreasonably with the comfortable enjoyment of life and property anywhere in the Township. All applicable provisions of the State Air Pollution Control Act of January 9, 1960, P.L. 2119, 35 P.S. § 4001 et seq., as amended, and Title 25, Pa. Code, Rules and Regulations, Department of Environmental Protection, subpart C, Protection Natural Resources, Article III, Air Resources, shall be complied with.

B. Odors. In any zone, no odorous material may be emitted into the atmosphere in quantities sufficient to be detected without instruments.

C. Wastes. No liquid waste shall be discharged into any watercourse in the Township except as herein provided. If the applicant proposes to construct facilities for the treatment of wastes, he shall supply a permit to construct said facilities issued by the Pennsylvania Department of Environmental Protection and as necessary a permit from the United States Environmental Protection Agency.

D. Solid Wastes. Each use shall:

   (1) Assume full responsibility for adequate and regular collection, storage and removal of all refuse in conformance with state and federal regulations.

   (2) Comply with all applicable provisions of the Air Pollution Control Code, 35 P.S. § 4001 et seq.
(3) Permit no accumulation on the property of any solid waste, junk, or other materials. Materials for use by a tenant or property owner may be neatly stored on the property, provided that no odors are generated and such storage does not attract rodents and does not constitute a nuisance.

(4) Not engage in any sanitary landfill operation on the property except as may be permitted by other Township codes and ordinances.

In order to provide the necessary information to the Board of Supervisors to assist the governing body with making the determination as to whether the proposed use is in compliance with §27-410 (Performance and Traffic Impact Requirements (4) (Standards to be Enforced) of the Code of Ordinances of Plainfield Township, this section shall be reviewed locally in accordance with the following standards:

1. Conduct a study, in advance, and identify the current, cumulative, and future effects of adverse environmental impacts of all activities associated with the proposed use. The study must identify and assess direct and indirect environmental effects that can be negative or positive; identify and assess impacts that are immediate, short-term or long-term; and which impacts can be incremental, compounding over time, or develop over the passage of years;

2. Determine whether and to what degree the effects or impacts will infringe unreasonably upon or violate the protected rights and values (air, water, scenic, historical, natural, and esthetic) or unreasonably cause actual or likely deterioration of the listed values; and

3. Unless the unreasonable effects or impacts of all activities associated with the proposed use can be eliminated, or reduced to a level where the impacts are not unreasonable, then the use cannot be permitted, pursuant to the requirements of §27-410 (1) (A) and (B), as well as §27-410 (4).

§27-410 (4) (D) (3): The Applicant has identified that “inbound material offloading is confined to the receiving area where trailers empty biosolids into the receiving and storage tanks.” The capacity of the receiving area- quantified in the exact number of tons of waste material- shall be identified by the Applicant in order to determine whether the proposed use in compliance with §27-410 (4) (D) (3), which specifically prohibits the “accumulation on the property of any solid waste, junk, or any materials.”

In order to determine compliance with this Section, the Applicant needs to confirm, to the satisfaction of the Township Engineer and Zoning Officer, that there will not be any overflow waste material received by the Applicant and stored on the project site in an area that is not intended for that purpose, including, but not limited to, the long-term storage of waste trucks on paved areas waiting to dump into the “receiving pits”.

The Applicant needs to provide the Township with the standard operating procedures pertaining to backhauling both the biosolids waste material and the industrial wastewater.

Slate Belt Heat Recovery Center – Zoning Officer Review – March 20, 2018 Page 17
to wastewater treatment plants in order ensure that there will not be any spillage or leaks emanating from the trucks at any time during the transportation process, thereby causing a nuisance situation for Plainfield Township as well as surrounding communities.

IV. **§27-410 (5) Traffic Impact Requirements.**

All development projects involving the proposed Material Separation Facility and existing Refuse Derived Fuel Facility Industrial uses require the evaluation of the level of traffic impact on the Township, as per §27-410 (5). In order to evaluate sufficiently the level of traffic impact, a traffic impact study is required. This requirement was also listed on page 6 of the Township Engineer’s March 16, 2018 review letter (item # B21). The comments concerning §27-410 (5) on page 5 (item # A6) of the Township Engineer’s March 16, 2018 review letter shall be addressed by the Applicant to the satisfaction of the Planning Commission, Township Engineer, Zoning Officer and any traffic planning professional that Plainfield Township elects to engage.

V. **Dimensional Requirements.**

The following dimensional requirements will apply to the proposed Land Development:

- a. Minimum Lot Size: 5 acres is required for proposed 400 tons of solid waste per day.
- b. Minimum Lot Width: 200 feet
- c. Maximum Building Coverage: 25%
- d. Maximum Building Height: 50 feet
- e. Maximum Structure Height: 75 feet
- f. Maximum Impervious Coverage: 45%
- g. Front Yard: 50 feet

Comments on the dimensional requirements are as follows:

- a. **§27-402. Principal Buildings:** The Land Development has frontage on Pen Argyl Road. The entrance and exit to the facility are not located on Pen Argyl Road. As per §27-402 (2) (Two or More on a Lot), two or more principal buildings on a lot shall be separated by at least twice the required side yard in the relevant zoning district, which is 50 feet. The proposed uses appear in compliance with this Section. The distance between the two principal buildings shall be clearly labeled on the Land Development Plan.
b. §27-403. Maximum Height of Buildings and Structures: The requirements of this provision are being met for all identified principal buildings and accessory structures. The height of the silos closest to the proposed principal building for the “Slate Belt Heat Recovery Center” shall be identified on the plans. In addition, the height of the proposed pump house, expansion tank and pump pad, waste heat recovery units, the retaining wall for the 58 feet above ground storage tank, and the 5,000-gallon tank adjacent to the truck tipping area shall be identified on the plans. No accessory structures shall be higher than 75 feet, as per §27-403 (2).

c. §27-404 (3). Traffic Visibility Across Corners: Compliance with this Section shall be demonstrated by the Applicant. The Clear Sight Triangle shall be identified on the plans in accordance with §27 (404) (3) (A) (B) of the Code of Ordinances of Plainfield Township. Compliance with the Plainfield Township Driveway Ordinance shall be confirmed to the satisfaction of the Driveway Administrator and the Township Engineer, as per §27-404 (4) (E).

d. §27-405. Establishment of Future Right-of-Way Widths for Roads: As per Table 22-1004.1 (Plainfield Township Standard Roadway Dimensions), Pen Argyl Road is classified as a Type C9 Major Collector road requiring a total Right-of-Way (ROW) width of 80 feet. The 80 feet ultimate ROW is shown on the plans. It is the recommendation of the Zoning Officer that the Planning Commission, Township Solicitor, and Township Engineer discuss the fact that the 80’ Ultimate ROW is located within the area described as a 30 feet Access Easement, which is currently used as an interior access drive for the Grand Central Sanitary Landfill, Inc. and has consistent truck traffic traversing said 30’ Access Easement.

e. §27-406. Frontage Development Along Arterial and Major Collection Streets: While both principal uses are proposed to be situated on the same lot and owned by the same property owner, the Planning Commission and Plainfield Township Solicitor should discuss whether an easement with a deed allowing cross access between both proposed uses within the access drive area, which is proposed to serve both lots, is necessary. The recorded joint agreement with the deed would identify the maintenance responsibilities of the property owner and the lessee in this case. The circulation plan for each property shall be adequate for that property, regardless of the cross access arrangements. §27-406 (E) and (F).

f. The Township Engineer shall confirm that the Land Development Plan complies with the correct dimensional requirements of Chapter 22
VI. **Off-Street Parking Requirements and Off-Street Parking Facilities**

**Required Number of Parking Spaces**: The Applicant has demonstrated compliance with §27-701 (1) and Table 27-701.1 for the number of required off-street parking spaces for the two uses. As per §27-701 (1) (D), where a proposed use contains or includes more than one type of use (regardless of whether each use is listed in Table 27-701.1 or is an unlisted use), the number of parking spaces required shall be the sum of the parking requirements for each separate use. The required off-street parking spaces are on the same lot for both principal uses.

**Joint Use/Common Parking Lot**: The Applicant is providing for a majority of the required parking spaces in a common parking lot. It is not clear to the Zoning Officer how pedestrians will safely walk from the proposed common parking lot for both the Material Separation Facility (Proposed) and the Refuse Derived Fuel Facility (Existing) to the principal buildings for both uses. Pedestrians will have to cross the path of where trucks are loading and unloading as shown on the Truck Turning Exhibit (Sheet C-03). The proposed pedestrian walkway paths from the common parking lot to both proposed uses shall be delineated in order to determine compliance with §27-703 (1) (A) of the Code of Ordinances, which requires that every parking facility shall be designed so that its use does not constitute a nuisance, hazard, or unreasonable impediment to traffic. The concern of the Zoning Officer is that it is a hazard for pedestrians to walk from the common parking lot to both proposed uses while trucks are traversing through the lot.

**Aisle Width**: The common parking lot currently shows aisle width of 24 feet. 25 feet is required, as per §27-703 (3) (B) of the Code of Ordinances.

**Variance Required (#3)**: A Variance is required from Section §27-703 (3) (B) of the Code of Ordinances of Plainfield Township to allow for an aisle width less than 25 feet.

**Access Drives and Driveways**: The interior access drives being utilized for both the Material Separation Facility (Proposed) and Refuse Derived Fuel Facility (Existing) shall be shown on the plans. A two-way use access drive requires a minimum width of 20 feet and a maximum width of 30 feet, as per §27-703 (4) (A).

**Landscaping**: All areas not serving as parking spaces, aisles, access drives or pedestrian walkways shall be permanently landscaped and maintained. Areas to be landscaped shall be shown on the plans, as per §27-703 (7) (A) of the Code of Ordinances.

**Grading, Surface Drainage**: Except for areas that are landscaped and so maintained, all portions of required parking facilities, including driveways, shall be graded, surfaced with asphalt or other suitable material, and drained to the extent necessary to prevent dust, erosion, or excessive water flow across streets or adjoining properties, as per §27-
703 (5) of the Code of Ordinances. It is the determination of the Zoning Officer that all parking lot areas should be surfaced with asphalt. In addition, all parking areas shall comply with the latest federal standards for handicap parking. Paved parking areas shall ensure compliance with all relevant slope and cross-slope requirements for accessibility in accordance with the Americans with Disabilities Act (ADA) over time.

**Variance Required (#4):** A Variance is required from §27-703 (5) of the Plainfield Township Code of Ordinances in order to keep the proposed gravel parking lot surface as gravel in lieu of asphalt material.

**Parking Spaces:** As per §27-703 (2) (C), all spaces shall be marked to indicate their location, except those of a single-family or two-family dwelling. Surfacing the parking areas with asphalt material will ensure compliance with this Section over time.

**VII. §27-704 Off-Street Loading**

Pursuant to §27-704 (1) of the Code of Ordinances, each use shall provide off-street loading facilities sufficient to accommodate the maximum demand generated by the use. The Zoning Officer defers to the professional review of the Township Engineer and the recommendations of the Planning Commission with respect to this Section. The Zoning Officer is in agreement with the Township Engineer that the truck turn movements proposed for use at the project site are in conflict with each other. As noted elsewhere in this letter, the comments concerning §27-410 (5) on page 5 (item # A6) of the Township Engineer’s March 16, 2018 review letter shall be addressed by the Applicant to the satisfaction of the Planning Commission, Township Engineer and Zoning Officer.

In the opinion of the Zoning Officer, the proposed off-street loading facilities currently appear to be in conflict with §27-704 (F), which requires that all off-street loading facilities shall be designed or used in any manner so as not to constitute a nuisance, a hazard, or an unreasonable impediment to traffic. This opinion is consistent with the comments set forth by the Township Engineer on page 5 (item # A6) of the March 16, 2018 review letter.

**VIII. Geotechnical Site Investigation Report.**

A Geotechnical Site Investigation Report for the proposed site to the satisfaction of the Township Engineer shall be provided. The Applicant has previously indicated that they will provide the Township with a courtesy copy of the Geotechnical Site Investigation Report once said report is completed.

**IX. Operating Hours.**

The Applicant has identified that the proposed “Heat Recovery Facility” will operate 24 hours a day/7 days a week, but the deliveries to the facility will be restricted to the same hours as the Grand Central Sanitary Landfill.
X. **Land Development/Major Subdivision Approval Required.**

Land Development/Major Subdivision approval by the Plainfield Township Planning Commission and Plainfield Township Board of Supervisors is required for this proposed use before any zoning and building permits can be issued. All applicable provisions of the Subdivision and Land Development Ordinance shall apply.

XI. **“Green Knight Approvals” – Green Knight Economic Development Corporation Landfill-Gas-to-Energy Plant – Paved Parking Lot/Driveway Plan.**

The current lot on which the Green Knight Facility is located (and now proposed to be modified) was approved via a Preliminary/Final Subdivision and Land Development approval and recorded at Volume 2000-5, Page 69 at the Northampton County Recorder of Deeds. The Green Knight Economic Development Corporation (GKEDC) Landfill-Gas-to-Energy (LFGTE) Plant – Paved Parking Lot/Driveway Plan dated August 31, 1999 (with a last revision date of February 23, 2000) was recorded on March 15, 2000. However, the revised plan, which was conditionally approved during the April 11, 2001 regular Board of Supervisors meeting, was never recorded.

After conducting research and due diligence concerning what the Applicant has previously referred to as the “Green Knight Approvals”, it is clear that the plan which proposed to reconfigure the parking lot and existing driveway for the Green Knight facility was never recorded with the Northampton County Recorder of Deeds. At the April 11, 2001 regular monthly meeting of the Plainfield Board of Supervisors, the governing body **conditionally approved** the GKEDC LFGTE Plant – Paved Parking/Driveway – Site Plan, sheet 1 of 1, dated March 8, 2001, revised March 29, 2001, which was a revised Land Development Plan application submitted by the Owner/Developer. The revised Land Development Plan was substantively different from the originally recorded 1999 Plan as identified by the then Township Engineer, Mr. Kevin Harwick, P.L.S., as follows:

- **The driveway to access the site is to be relocated to the western side of the site.**
- **The parking lot is to be moved to the east end of the building, enlarged and paved.**
- **Turbine exhaust area is to be fenced.**
- **The detention pond is to be eliminated and runoff is now to be directed into the existing quarry on Grand Central Real Estate Company, Inc. lands.**

The March 29, 2001 revised Land Development Plan was recommended for Conditional Approval by the Plainfield Township Planning Commission during their March 19, 2001 meeting. The Board of Supervisors considered the revised Plan at their April 11, 2001 regular meeting and Conditionally Approved the Plan, subject to the following conditions (a copy of the Conditional Approval letter dated April 11, 2001 and signed by Mr. Robert
E. Cornman, Jr. on behalf of the Owner/Developer, the Green Knight Economic Development Corporation, is incorporated herein to this review letter as Exhibit “A” for reference):

1. Notification of LVPC Approval.


3. Owner signature.


6. Revised language re: alternate access point as per Township Engineer.

7. Improvements Agreement, with adequate security.

Based on current Plainfield Township records, it would appear that the above listed conditions were never met by the then Owner/Developer. The revised Land Development Plan was not recorded.

The use of Plainfield Township Property, which is subject to a March 12, 1997 Easement Agreement, which is incorporated herein for reference as Exhibit “B”, as a means for egress and ingress was conditioned upon the then Applicant meeting the requirements set forth within the April 17, 2001 Conditional Approval Letter. The then Township Engineer review letter dated April 6, 2001, which is incorporated herein for reference as Exhibit “C”, noted the following concerning the proposed driveway configuration:

*SALDO 5.4.A – The driveway as shown on the plan approved in 1999, accessed the Grand Central Real Estate access road on the northeast side of the site. A 30’ wide access easement across Grand Central Sanitary Landfill lands provided access to Pen Argyl Road.*

The proposed driveway configuration would access the Grand Central Sanitary Landfill Road at the west end of the site. The driveway would cross the Old Township Trail before intersecting the Grand Central Sanitary Landfill Road. This land is owned by Plainfield Township and will someday be restored by the owners of the Landfill as a Township trail.

Provisions should be made for this future event and noted on the plan. The Solicitor should review any proposed notations. The existing easement agreement is being checked by the Township Solicitor to determine if use of the township property by this facility is provided for in this agreement. If no provisions are found in the existing agreement, a new agreement to allow this subdivided lot cross the township property to the point

*Slate Belt Heat Recovery Center – Zoning Officer Review – March 20, 2018* Page 23
where the existing access easement starts may be necessary, if agreed to by the Board of Supervisors.

Plainfield Township Solicitor, David Backenstoe, Esquire, provided a letter dated April 10, 2001, which the Owner/Developer at the time agreed to comply with. The letter referenced the March 12, 1997 Easement Agreement between Grand Central Real Estate Company, Inc./Grand Central Sanitation, Inc. and Plainfield Township guiding the use of what the former Township Engineer referred to as the “Old Township Trail” and Township property.

In reference to the March 12, 1997 Easement Agreement, the Solicitor stated within the April 10, 2001 letter that a “short addendum wherein the Green Knights join as a party and acknowledges the responsibilities and obligations as set forth in the original Agreement would be appropriate.”

It is clear that the section of the “Old Township Trail” and the portion of Township property subject to the March 12, 1997 Easement Agreement is not a public or private street. The Solicitor had noted that it was necessary to have the Green Knights join as a party to the March 12, 1997 Easement Agreement in order to authorize their organization to access what was labeled as “Township Property” on both the recorded 1999 plan as well as the proposed 2001 revised plan. At no time on either plan is the area subject to the March 12, 1997 Easement Agreement identified as a street.

As set forth above, the then Township Engineer identified that the land subject to the Easement Agreement “...is owned by Plainfield Township and will someday be restored by the owners of the Landfill as a Township trail. Provisions should be made for this future event and noted on the plan.” This required action never took place, and it is important to note that at no time has the Township ever abandoned its ownership of the “Old Township Trail” property.

The Easement Agreement envisions an expiration date which would coincide with the closure of the landfill. The Easement Agreement is in specific reference to the use of Township property as a “haul road” by Grand Central Real Estate Company, Inc./Grand Central Sanitation, Inc. only. It does not permit the use of the property as a public or private street to any other entities. The proposed Slate Belt Heat Recovery Center facility could ostensibly operate in perpetuity as a stand-alone facility. This fact is in direct antithesis with the landfill facility, which has an anticipated closure date in the future. The GKEDC LFGTE Plant holds a symbiotic relationship with the landfill facility, as the LFGTE Plant relies on the landfill facility to supply its turbines with landfill gas to generate electricity. The LFGTE Plant also has an anticipated end date in the future.

As noted within the Conditional Approval letter dated April 11, 2001, the Conditional Approval of the GKEDC LFGTE Plant – Paved Parking/Driveway – Site Plan, sheet 1 of 1, dated March 8, 2001, revised March 29, 2001, would have expired twelve (12) months from April 11, 2001, which would be April 11, 2002. As there is no evidence of any applicable Time Extensions within the Township file, it is the opinion of the Zoning
Officer that said approvals should not be used for reference during the course of the review of the proposed Synagro Land Development Plan, as the previous GKEDC LFGTE Plant Plan has long since expired and was not recorded. The use of Plainfield Township property subject to the 1997 Easement Agreement was never approved for the GKEDC LFGTE Plant by the Board of Supervisors. The use of Township property subject to the 1997 Easement Agreement by Synagro Technologies, Inc. and/or Slate Belt Heat Recovery Center, LLC would need to be approved by the Plainfield Township Board of Supervisors.

It is the opinion of the Zoning Officer that the use of Plainfield Township property subject to the 1997 Easement Agreement issue needs to be addressed to the satisfaction of the Planning Commission, the Plainfield Township Solicitor, Township Engineer, and the Plainfield Township Board of Supervisors prior to the issuance of any zoning or building permits.

XII. **Impact to Plainfield Township Recreation Trail; 1997 Easement Agreement.**

It is the recommendation of the Zoning Officer that the current and future impact of this facility on the Plainfield Township Recreation Trail should be studied and the results of said study provided to the Township, to the satisfaction of the Planning Commission, the Township Engineer, the Township Solicitor, and the Zoning Officer.

The previously referenced Easement Agreement dated March 12, 1997 was granted to Grand Central Sanitation, Inc. and Grand Central Real Estate Company, Inc. – not to Synagro Technologies, Inc./Slate Belt Heat Recovery Center, LLC. Additionally, it was a previous Condition of Approval that the Green Knight Economic Development Corporation would need to join as a party to said Easement Agreement and acknowledge the responsibilities and obligations as set forth in the original Agreement. To the best of the knowledge and understanding of the Township, this action never occurred. Synagro Technologies, Inc. and/or Slate Belt Heat Recovery Center, LLC are not parties to the 1997 Easement Agreement.

It is the opinion of the Zoning Officer that the use of Plainfield Township property subject to the 1997 Easement Agreement issue needs to be addressed to the satisfaction of the Planning Commission, the Plainfield Township Solicitor, Township Engineer, and the Plainfield Township Board of Supervisors prior to the issuance of any zoning or building permits.

XIII. **Signage.**

All signage proposed for this facility and use shall be identified to the Township in order for the Zoning Officer to determine compliance with Part 6 of Chapter 27 of the Code of Ordinances of Plainfield Township entitled “Signs”. A Plainfield Township zoning permit (and possibly a building permit, depending on the type of sign proposed) is required before any signage can be installed. Signage must be in compliance with Part 6 of Chapter 27 (Zoning).
XIV. §22-1023 Riparian and Wetland Buffers.

It is determination of the Zoning Officer that the requirements of §22-1023 of the Code of Ordinances are applicable to this project, as the Riparian Buffer Ordinance applies to watercourses. A watercourse is defined as “a channel or conveyance of surface water having defined bed and banks, whether natural or artificial, with perennial or intermittent flow, shown as Hydrology (blue lines) on the latest Plainfield Township Zoning Map. Manmade swales, constructed specifically for stormwater management purposes, are excluded from this definition.”

Sedimentation Basin No. 2 is storing water, and is not a manmade swale specifically (emphasis added) constructed for stormwater management purposes. Further, Sedimentation Basin No. 2 appears as Hydrology on the latest Plainfield Township Zoning Map. Additionally, within the Notification of Individual NPDES Permit Application- Stormwater Runoff from Industrial Activities General Information Form (received by the Township on March 13, 2018) submitted to PA DEP, it was noted by the Township that the Applicant checked off that the project will involve the following: placement of fill, excavation within or placement of a structure, located in, along, across or projecting into a watercourse, floodway or body of water in order to modify Sedimentation Basin No. 2.

The requirements of §22-1023 of the Code of Ordinances are applicable, with compliance to be determined by the appointed Wetlands Consultant of Plainfield Township. This issue needs to be addressed to the satisfaction of the Township Engineer, Zoning Officer, and Wetlands Consultant prior to the issuance of any zoning or building permits.

The Wetlands Consultant of Plainfield Township shall also confirm whether a revised Jurisdictional Determination is required with respect to delineating the location of possible wetlands on the lot/project site. It is the understanding of Plainfield Township that the Applicant is relying on data from a wetlands survey that was conducted in excess of ten years ago.

XV. NPDES Permit Required.

Because over one (1) acre of disturbance is proposed for this project, Plainfield Township is not currently able to issue any permits (either zoning or building) for this project as per Section 102.43 of the Commonwealth of Pennsylvania Department of Environmental Protection (PA DEP) Erosion and Sediment Control Rules and Regulations, 25 Pa. Code 102.43 and Section 611 of the Clean Streams Law, the Act of June 22, 1937, L.L. 1987, as amended, 35 P.S. 691.611. 25 Pa. Code 102.43 states, “With the exception of local stormwater approvals or authorizations, a municipality or county may not issue a building or other permit approval to those proposing or conducting earth disturbance activities requiring a Department permit until the Department or a conservation district has issued
the E&S or individual NPDES Permit, or approved coverage under the general NPDES Permit for Stormwater Discharges Associated With Construction Activities under §102.5 (relating to permit requirements).”

Neither the Plainfield Township Zoning Officer nor the Plainfield Township Building Code Official can issue permits in violation of state laws. §27-802 (1) (C) (3) of the Code of Ordinances of Plainfield Township requires that the Applicant obtain approvals for all required governmental permits. No zoning or building permits shall be issued until such time that all required governmental permits are obtained by the Applicant.

XVI.  Planning Commission and Township Appointed Officials/Consultants Recommendations.

In addition to the issues and determinations set forth within this letter, the Zoning Officer review letter shall incorporate as though more fully set forth at length any and all issues to be addressed, review letters, and recommended conditions that are identified by the Township Engineer, Special Environmental Engineering Consultant, Special Environmental Legal Counsel, Plainfield Township Solicitor, Planning Commission, and the Board of Supervisors as part of the Land Development Plan review and at any stage of the Land Development review process.

XVII.  Summary

As set forth above in this review letter, building and zoning permits cannot be issued for this project until all the issues identified within this letter are addressed or any other issues that may be identified during the formal Planning Commission/Board of Supervisors Subdivision and Land Development (SALDO) application review(s) are addressed. There are no pending building or zoning permits as of the date of this review letter. The Applicant has not submitted any zoning permit or building permit applications to Plainfield Township officials as of the date of this review letter. To summarize the findings within this review letter, four Zoning Variances are required for this proposed Land Development as follows:

- **Variance Required (#1):** A Variance is required from Section §27-316 (2) (II) (2) of the Code of Ordinances of Plainfield Township due to the fact that the proposed entrance and exit to the facility are not located along either an arterial or collector road.

- **Variance Required (#2):** A Variance is required from Section §27-505 of the Code of Ordinances of Plainfield Township to allow for an area of open space between the proposed structures/improvements and the pond that is less than 50 feet.
• **Variance Required (#3):** A Variance is required from Section §27-703 (3)(B) of the Code of Ordinances of Plainfield Township to allow for an aisle width of less than 25 feet.

• **Variance Required (#4):** A Variance is required from §27-703 (5) of the Plainfield Township Code of Ordinances in order to keep the proposed gravel parking lot surface as gravel in lieu of asphalt material.

The Applicant has requested and confirmed in writing that the Land Development Plan application review take place at the **Wednesday, April 4, 2018 Planning Commission Special Meeting** scheduled for 7:00 P.M. The location has been advertised as the Wind Gap Middle School (1620 Teels Road, Pen Argyl, PA 18072). A Special Meeting Public Legal Notice was advertised in the March 16, 2018 edition of the *Express-Times* as required by the applicable laws of the Commonwealth of Pennsylvania.

All references to the Township Engineer in this letter shall mean the appointed Alternate Township Engineer for this project, which is Hanover Engineering Associates, Inc., with Mr. Farley Fry, P.E. and Mr. Robert Lynn, P.E. representing.

This review letter was prepared by the Plainfield Township Zoning Officer, Mr. John Lezoche, in conjunction with the Plainfield Township Manager/Alternate Zoning Officer, Mr. Thomas Petrucci.

If there are any questions or if any additional information is required, please do not hesitate to contact the undersigned officials.

Sincerely,

John Lezoche
Zoning Officer

Sincerely,

Thomas Petrucci
Township Manager
Alternate Zoning Officer
Enclosures (Exhibits A, B, and C)

Cc: Plainfield Township Board of Supervisors, Individually
    Plainfield Township Planning Commission, Individually
    Paige Gerstenberg, Plainfield Township Planning Commission Secretary
    David Backenstoe, Esq., Plainfield Township Solicitor (via email only)
    John Embick, Esq., Plainfield Township Environmental Special Legal Counsel
        (via email only)
    Farley Fry, P.E., Township Engineer for Synagro Applications (via email only)
    Robert Lynn, P.E. Township Engineer for Synagro Applications (via email only)
    Michael Brunamonti, P.E., Special Environmental Consultant (via email only)
    James Hecht, Synagro Project Manager (via email only)
    Elizabeth Witmer, Esq., Applicant’s Legal Counsel (via email only)
    David Allen, P.E., EarthRes Group, Inc., Applicant’s Engineer (via email only)
PLAINFIELD TOWNSHIP BOARD OF SUPERVISORS  
6292 SULLIVAN TRAIL, NAZARETH, PA 18064

EXHIBIT "A"

SUBDIVISION/LAND DEVELOPMENT PLAN
PARCING LOT

Date 4/11/01

CONDITIONAL APPROVAL

I, the undersigned Owner/Developer, hereby agree to and accept and will comply with each and every condition set forth below as a condition of the Township's granting preliminary/final approval for the above-captioned plan.

- Planning Module Approval by Plainfield Township Sewage Officer.
- Notification of LVPC Approval.
- Notification of Soil Conservation Approval.
- Comply with all conditions as set forth in Keystone Consulting Engineers' review letter dated April 6, 2001.
- Comply with all conditions of Township SEO's letter dated.
- Owner signature.
- Notarization.
- Detailed language to attend to access road as per Township Engineer.
- Improvements Agreement, with adequate security.

If these Conditions are not met, within twelve (12) months from the date set forth above, I agree that the plan approval will be automatically void and the plan will be rejected. Further, I agree that I will have to resubmit a new plan in accordance with any and all existing subdivision, land development and/or applicable Township ordinances. Finally, I warrant that I am authorized to accept these terms and conditions on behalf of the Owner/Developer.

.Owner/Developer
EASEMENT AGREEMENT

This Agreement made this 12th day of March, 1997 between PLAINFIELD TOWNSHIP, a second class township with an address of 6292 Sullivan Trail, Nazareth, Northampton County, Pennsylvania, 18064 (hereafter called "Township"); and GRAND CENTRAL REAL ESTATE COMPANY, INC., a Pennsylvania corporation with an address of 1963 Pen Argyl Road, Pen Argyl, Northampton County, Pennsylvania 18072 (hereafter called "Grand Central Real Estate"); and GRAND CENTRAL SANITATION, INC., a Pennsylvania corporation with an address of 1963 Pen Argyl Road, Pen Argyl, Northampton County, Pennsylvania, 18072 (hereafter called "GCS").

WHEREAS, Township is the owner of tract of land upon which is located a Township Recreation Trail, as identified by Northampton County Tax Parcel Number E8-14-1A, being more specifically described in a deed recorded in the Northampton County Recorder of Deeds in and for Northampton County in Deed Book 719 at Page 775 (such tract being identified as the "Existing Trail"); and

WHEREAS, Grand Central Real Estate is the owner of two tracts of land bordering said tract, identified as Northampton County Tax Parcels E8-11-8 and E8-6-1; and

WHEREAS, a portion of the Existing Trail closely parallels abandoned and/or existing and operating quarries, which quarries pose a real and definite hazard for members of the public utilizing said trail; and

WHEREAS, pursuant to an agreement entered into between the owners and operators of said quarry and Township's predecessor in title, Conrail, the owners and operators of said quarries have a right to make use of a portion of said trail for access to these quarries, thus increasing the possible hazard to members of the public; and
WHEREAS, Grand Central Real Estate and GCS, as owners and lessees of the property on which said quarries are located, have offered to develop and provide to Township, a relocated trail bypassing said quarries and equal or greater in length to the Existing Trail (the "New Trail"); and

WHEREAS, Township has agreed to accept said New Trail and in return will block pedestrian access to that portion of the Existing Trail running past said quarries.

NOW, THEREFORE, intending to be legally bound hereby, the parties agree as follows:

1. Grand Central Real Estate and/or GCS agree to construct the New Trail as dimensioned on the plans attached hereto collectively as Exhibit "A". Said New Trail will be constructed on the aforementioned tax parcels owned by Grand Central Real Estate. Construction will consist of stripping topsoil and constructing a level path consisting of a minimum of six (6") inches of 2A stone, for a minimum trail width of eight (8') feet. In addition, a six (6') foot area on each side of the centerline of said eight (8') foot stone path shall be cleared and stabilized to permit access by emergency vehicles and/or Township maintenance vehicles. All construction shall be at the expense of Grand Central Real Estate and/or GCS and shall be subject to the approval of Plainfield Township Board of Supervisors after review by the Plainfield Township Engineer. Storm water runoff and drainage facilities shall be constructed as deemed necessary by the Township Engineer to channel runoff under or off this trail.

2. A parking lot, paved with suitable stone and/or gravel materials shall be constructed by Grand Central Real Estate and/or GCS at a location providing access to...
the New Trail from Buss Street, as shown on said Exhibit "A". Said parking area shall be of sufficient dimensions to allow parking of ten (10) vehicles. Construction of said parking lot shall be at the sole expense of Grand Central Real Estate and/or GCS and shall be subject to the approval of the Plainfield Township Board of Supervisors after review by the Plainfield Township Engineer. The existing pedestrian gates that are in place on the Existing Trail at the trail junction with the existing parking lot located off Pen Argyll Road shall be reinstalled at the expense of Grand Central Real Estate and/or GCS at the junction of the New Trail with the Buss Street parking lot.

3. It is acknowledged that the New Trail will cross an existing private slate quarry haul road. It is agreed that Grand Central Real Estate and/or GCS shall erect warning signs at the intersection of the New Trail and said slate quarry haul road. Existing warning signs located on the Existing Trail may be utilized if determined suitable by the Township Engineer.

4. Township is hereby granted an easement of ingress, egress and regress over the New Trail as described on Exhibit "A" with the specific understanding that said easement shall be utilized as a recreational pedestrian and/or bicycle trail but that vehicular access will also be permitted for Township and/or emergency vehicles. The width of said easement shall be twenty (20') feet (ten (10') feet on either side of the centerline of the New Trail, as depicted on said Exhibit "A"). In addition, Township is granted an easement of ingress, egress and regress over the parking lot as depicted on said Exhibit "A".

5. Township shall have no obligation to construct the improvements depicted in this Agreement and/or Exhibit "A" thereto. Township shall initially have no
obligation to maintain such improvements as are constructed under this Agreement by Grand Central Real Estate and/or GCS; however, it is agreed that upon the acceptance of said improvements by the Plainfield Township Board of Supervisors following review and recommendation by the Township Engineer, Township shall have, from the date of that acceptance, the obligation to maintain such improvements so long as said improvements are utilized as a Township recreation trail.

6. The parties agree that commencing on the date that Township has accepted the New Trail and has opened said trail for pedestrian access, that portion of the Existing Trail extending from Pen Argyl Road past the quarries to the junction of the New Trail with the Existing Trail (and as depicted on Exhibit "B" hereto) will be closed to pedestrian access and barriers erected. Both parties recognize that the closure of the trail and blockage of pedestrian access is undertaken with permission of Township and that the said blockage in no way constitutes an intent on the part of Township to abandon its ownership and/or other rights in that portion of the trail to which pedestrian access is being blocked.

7. A. Grand Central Real Estate and GCS and their agents, servants, employees, licensees and lessees are hereby granted a easement of ingress, egress and regress over that portion of the Existing Trail depicted on Exhibit "B". Said easement will be effective only after the date of acceptance by Township of the New Trail as provided in paragraph 5 hereof. From the date of acceptance of the New Trail by Township, the obligation to maintain that portion of the Existing Trail over which this easement is granted shall be Grand Central Real Estate and/or GCS's.
B. Notwithstanding the above, Township, its agents, servants and employees shall, at all times, have an equal right of access over that portion of the Existing Trail over which Grand Central Real Estate and GCS is given an easement.

C. The parties recognize that Grand Central Real Estate and/or GCS may, under the terms of the easement granted under this paragraph, make certain improvements to that portion of the Existing Trail subject to the easement in this paragraph and as depicted on Exhibit 'B'. Said improvements may consist of the improvement of the surface of the trail so as to serve as a haul road and other improvements made in conjunction with Grand Central Real Estate and/or GCS's easement over the property. Township agrees that during the term of this easement, Grand Central Real Estate and/or GCS shall have the unrestricted right to make said improvements at Grand Central Real Estate and/or GCS's expense.

8. A. The parties recognize that, at some time in the future, Grand Central Real Estate and/or GCS's need for the easement granted under paragraph 7 may cease. The parties agree that at such time, Grand Central Real Estate and/or GCS may give written notice to Township of its intent to abandon said easement. Prior to said abandonment becoming effective, Grand Central Real Estate and/or GCS shall be required to remove, at its expense, any or all improvements constructed by Grand Central Real Estate and/or GCS on the trail (except for such improvements as Township and/or Grand Central Real Estate and GCS may mutually agree shall remain) and restore, at its expense, the trail to the condition existing at the time of the execution of this agreement, including the reconstruction of the existing parking lot located adjacent to Pen Argyl Road and the
re-erection of warning signs and gates currently erected at the currently established portion of the trail utilized for access to the quarries.

B. Upon the completion of the restoration of the trail and reconstruction of the parking lot as set forth in paragraph 8.A. above, Grand Central Real Estate and/or GCS shall give written notice to Township of the completion of the work under paragraph 8.A. and shall request the Township Engineer to conduct an inspection. The Township Engineer shall complete said inspection within thirty (30) days and shall report back to the parties. If, in fact, the removal of the improvements and restoration of the parking lot have resulted in restoring the trail to the condition existing at the time of the execution of this Agreement then the Township Engineer shall approve said work. Upon said approval, which shall not be unreasonably withheld, the Board of Supervisors shall, at its next regular meeting, agree to approve said removal and restoration. Upon said approval, the parties agree to execute an amendment to this Easement Agreement terminating the rights of Grand Central Real Estate and GCS to the easement of ingress, egress and regress granted in paragraph 7 of this Agreement. This amended Easement Agreement shall also terminate Township's easement over the New Trail as granted in Paragraph 4 of this Agreement. Township shall have no obligation to perform any construction work or remove any of the improvements constructed on the New Trail, although Township shall have the right to retain those improvements that it and Grand Central Real Estate and GCS shall mutually agree upon.

9. The parties agree that during the period in which Township has an easement over the New Trail and Grand Central Real Estate and/or GCS has an easement
over the Existing Trail, the parties shall obtain liability insurance coverage over the area
over which the easement extends. The coverage may be by virtue of a rider, by virtue of
inclusion in Township or Grand Central Real Estate and/or GCS's existing liability policy.
The amount of coverage shall be in the minimum amount of One Million ($1,000,000.00)
Dollars. Each party also agrees, and hereby does, indemnify, protect and save harmless the
other party from and against any and all claims, demands, liability damages, costs and
expenses (including, without limitation, court costs and attorneys' fees) resulting from any
and all injury or property damage of any person, firm, corporation or entity, arising out of
or in connection with the indemnifying party's use, maintenance, repair, renewal and
reconstruction of the area of the New Trail and/or Existing Trail over which the easement
extends. Each party's indemnification hereunder shall survive the termination of this
easement with regard to claims arising during the period of the easement.

10. This Agreement shall bind the parties their heirs, successors and assigns
and shall be deemed to be a covenant running with the land encumbered hereby.

11. This Agreement may not be varied, altered or changed in any way
except by a writing signed by the parties and recorded in the Office for the Recording of
Deeds.

12. This Agreement shall be construed according to the laws of the
Commonwealth of Pennsylvania.

13. Any notices to be given to the parties of this Agreement shall be given
at the following addresses unless a notice of a change of address has been given in writing
to the other party:
Plainfield Township Municipal Building
6292 Sullivan Trail
Nazareth, PA 18064

Grand Central Real Estate Company, Inc.
Grand Central Sanitation, Inc.
1963 Pen Argyl Road
Pen Argyl, PA 18072

IN WITNESS WHEREOF, the parties hereto have affixed their seals this day of March, 1997.

ATTEST:

By: [Signature]
Joyce Lamberg, Secretary

ATTEST:

By: [Signature]
Leonard Dell'Alba, Chairman

By: [Signature]
Vincent Greggo

By: [Signature]
Joseph C. Rolm

By: [Signature]
Samuel Longley

By: [Signature]
Adita Bray

ATTEST:

By: [Signature]

Secretary

ATTEST:

By: [Signature]

GRAND CENTRAL REAL ESTATE, INC.

By: [Signature]

GRAND CENTRAL SANITATION, INC.

VOL: 1997-1
PAGE: 026483
STATE OF PENNSYLVANIA

COUNTY OF NORTHAMPTON

On this, the 12th day of March, 1997, before me, a Notary Public in and for said State and County, the undersigned officer, personally appeared LEONARD DELL'ALBA, VINCENT GREGGO, JOSEPH C. ROHN, SAMUEL LONGLEY and ANITA BRAY, who acknowledged themselves to be members of the Plainfield Township Board of Supervisors, and they as such members of the Board of Supervisors, and being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the Plainfield Township Board of Supervisors by themselves as members.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

[Signature]
Notary Public

RECORDER OF DEEDS
NORTHAMPTON COUNTY
PENNSYLVANIA

INSTRUMENT NUMBER 1997010212
RECORDED ON 5:39:00 AM Mar 24, 1997
RECORDING FEES $35.00
STATE WITNESS TAX $16.50
TOTAL $51.50

9 VOL:
PAGE: 1897-1
026484
STATE OF PENNSYLVANIA            SS.
COUNTY OF NORTHAMPTON

On this, the 12th day of March, 1997, before me, a Notary
Public in and for said State and County, the undersigned officer, personally appeared

Nolan A. Perin, who acknowledged himself to be the Divisional Vice President of Grand Central Real Estate, Inc., and be as such President, and being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as President.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public

NOTARIAL SEAL
Anne L. Goetz, Notary Public
Barg, Northampton Co., PA
My Commission Expires Nov. 14, 1998
STATE OF PENNSYLVANIA
COUNTY OF NORTHAMPTON

On this, the 12th day of March, 1997, before me, a Notary Public in and for said State and County, the undersigned officer, personally appeared Nolan A. Perin, who acknowledged himself to be the Divisional Vice President of Grand Central Sanitation, Inc., and he as such President, and being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as President.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public

NOTARIAL SEAL

EXHIBIT "B"

EXHIBIT "B"

1997 Easement Agreement
EXHIBIT "B"
EXHIBIT "C"

April 6, 2001

Plainfield Township
Board of Supervisors
6292 Sullivan Trail
Nazareth, PA 18064

RE: GKEDC LFGTE Plant
    Paved Parking Lot/Driveway
    Land Development Plan

Dear Members:


Proposed: This plan is a revision to the Gas to Energy Land Development Plan, which was approved by the Planning Commission and Board of Supervisors in October, 1999.

The building has been constructed, the plant is running and the following revisions to the approved site design is proposed:

A) The driveway to access the site is to be relocated to the western side of the site.

B) The parking lot is to be moved to the east end of the building, enlarged and paved.

C) Turbine exhaust area is to be fenced.

D) The detention pond is to be eliminated and runoff is now to be directed into the existing quarry on Grand Central Real Estate Company, Inc. lands.

The tract is in the Solid Waste Processing and Disposal District and is served by central water and a sewage holding tank. As discussed at the September 20, 1999 Planning Commission Meeting, this facility is considered a Refuse Derived Fuel Facility and is a permitted use in this zoning district with no additional requirements listed in the Zoning District.

This plan was recommended for conditional approval by the Planning Commission at their March 19, 2001 meeting.
Our comments are based on the current Subdivision and Land Development Ordinance and Zoning Ordinance and Amendments.

1) **SALDO 3.2.C.1 and 5.2.A.1** - A separate Preliminary Plan submission is required unless waived by the Board of Supervisors. At their March 19, 2001 meeting, the Planning Commission recommended that this requirement be waived.

2) **SALDO 5.2.D.1.a** - Lehigh Valley Planning Commission review is required.

3) **SALDO 5.3.D.3.e** - The location of the existing water service lateral to the building should be shown.

4) **SALDO 5.4.A** - The driveway as shown on the plan approved in 1999, accessed the Grand Central Real Estate access road on the northeast side of the site. A 30’ wide access easement across Grand Central Sanitary Landfill lands provided access to Pen Argyll Road.

The proposed driveway configuration would access the Grand Central Sanitary Landfill Road at the west end of the site. The driveway would cross the Old Township Trail before intersecting the Grand Central Sanitary Landfill Road. This land is owned by Plainfield Township and will someday be restored by the owners of the Landfill as a Township trail.

Provisions should be made for this future event and noted on the plan. The Solicitor should review any proposed notations. The existing easement agreement is being checked by the Township Solicitor to determine if use of the township property by this facility is provided for in the agreement. If no provisions are found in the existing agreement, a new agreement to allow this subdivided lot cross the township property to the point where the existing access easement starts may be necessary, if agreed to by the Board of Supervisors.

5) **SALDO 8.0** - There is an existing improvements agreement pending. If this plan is approved and concrete monuments and pins are set, the bond and this agreement can be eliminated.

6) **SALDO 10.9** - The detention pond on the 1999 plan collected runoff from the building and the site and released it into the existing swale to northwest.

The current proposal will pave this pond area as a parking lot. Some runoff will still run to the northwest, however most runoff is shown to be directed into the existing quarry on Grand Central Real Estate lands on the southeast side of the site.

The building and adjacent site grading was constructed about 4’ lower than the original design. The pond shown on the 1999 plan would not work on the site as it currently exists.

Conveying runoff into the quarry is an acceptable solution, and a water discharge agreement with Grand Central Real Estate has been submitted and should be reviewed by the Township Solicitor.
Plainfield Township
Board of Supervisors

April 6, 2001

-3-

PT-99-005

* 7) SALDO 10.9.G.7 - Harry Smith has mentioned that school buses will be accessing the site for facility tours. The turning paths of the parking lot does not look as though it will handle school buses and no bus parking has been provided. Discussion at the Planning Commission meeting indicated that this is an internal issue that will be addressed by the GKEDC.

A 6’ high chain link safety fence (with moveable posts) has been shown on the plan along the edge of the quarry. The slope is about 1:1 and the bottom of this quarry is filled with water. “Moveable posts” should be defined. The Board of Supervisors should discuss if this is acceptable from a safety standpoint.

Items marked with a (*) are recommended for discussion by the Board of Supervisors. If there are any questions regarding this review, please contact the undersigned.

Sincerely,

KEystone Consulting Engineers, Inc.

Kevin D. Harwick, P.L.S.

KDH/tn

c: Green Knight – Economic Development Corporation
Grand Central Real Estate Company, Inc.
Jan Hutwelker, P.E., Earth Resource Group
David M. Backenstoe, Esq.
Christopher J. Noll