

I. OPENING

CALL TO ORDER: The Planning Commission meeting of Lower Saucon Township Council was called to order on Thursday, June 28, 2012 at 7:00 P.M., at 3700 Old Philadelphia Pike, Bethlehem, PA, with Mr. John Landis, Chair, presiding.

ROLL CALL: Present: John Landis, Chair; Tom Maxfield, Vice Chair; John Lychak, John Noble, Craig Kologie, Sandy Yerger, Scott Kennedy, members; Chris Garges, Zoning Officer; Judy Stern Goldstein, Boucher & James; Dan Miller, Hanover Engineering; Linc Treadwell, Solicitor.

PLEDGE OF ALLEGIANCE

II. PUBLIC COMMENT/CITIZEN AGENDA ITEMS – None

III. BUSINESS ITEMS

A. DRAFT MAP AND TEXT AMENDMENTS TO THE ZONING ORDINANCE FOR POTENTIALLY REVISING THE LIGHT INDUSTRIAL (LI) & LIGHT MANUFACTURING (LM) DISTRICTS WHICH ARE LOCATED IN THE APPLEBUTER ROAD AREA

- The draft provisions include two (2) options for potentially expanding the LI districts to encompass the entire LM district and portions of the A district.

Mr. Landis asked Attorney Treadwell to explain where the Planning Commission (PC) is in this process. Attorney Treadwell referred to the procedures memo that was discussed at the last meeting. He explained that any vote that the PC may take tonight is only a recommendation to start the Zoning Amendment process, not to recommend that an amendment be adopted. The PC could recommend Option A, Option B, a different option or that the map and text remain as they currently exist. He further stated that this is only the beginning of the process and there will be future meetings and discussions if the official amendment process is initiated by the Council.

Mr. Lychak discussed the possibility of an Option C, which he would like to see on a new map, and the PC discussed different ways to draw the zoning boundary line. Ms. Stern Goldstein and Attorney Treadwell asked a couple of questions concerning what the PC would want to see on a new Option C map.

Mr. Landis opened the floor to public comment.

IV. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS

Mr. Landis said we are going to take public comment. You need to go to the microphone, give your name, and he would like you to speak only once. We don't want to have a debate. Obviously, it appears we're going to table it anyway. He would also suggest if somebody said it, we don't need to have it said 110 times.

- Bob Wells said he's a citizen of Lower Saucon Township, 2134 Saucon Avenue. He's going to be speaking today on behalf of "The Saucon Valley Families Opposed to Landfill Development". There are a number of people who have allowed him to speak. If we're going to speak as a community, he'd like to be able to use the Power Point first. That way he can go straight, front to back, and make sure he's conscious of time and very, very efficient. He said Mr. Landis said there would be an opportunity to speak once, he's assuming that at this meeting. Attorney Treadwell

said yes, once in this meeting. Mr. Landis said we have to have some control. Mr. Wells said he wants to thank each and every one of you for being here today to support the governmental process of making sure that we make decisions in an intelligent way. He asks that you allow him to go straight through his presentation. He wants to be very efficient and get his points across as simply as possible. He's not an expert at zoning or with landfills. He is in the real estate business for a number of years, so he has some experience there. The purpose is to enlist your support, basically in recommending that the Township Council vote to no to any zoning classifications of the properties that surround the current IESI operating boundaries. He is going to speak about are some quick things. Landfill basics, and there are probably a couple people in the room who don't even know what a landfill is. Please bear with him for a few minutes so he can explain for those people's benefits what we are talking about here. He wants to take a quick look at the IESI landfill as it is today and health and environmental hazards we may feel that are connected with the zoning change which will empower that expansion. He wants to look at the connection between the expansion of the landfill, or at least the requested expansion of the landfill, and any rezoning that may or may not occur at the Township level. There's a little bit about the highest and best use of the land, and then a quick summary at the close. First of all, some landfill basics. He didn't know anything about landfills before this started. He just thought you found a depression somewhere; you put a trash can liner in it, put some trash in it, cover it up, and plant a tree. That was his knowledge of landfill. Honestly, that's not practical in Pennsylvania, or probably anywhere else. They tend to be around Pennsylvania Highlands and if you look at a Pennsylvania Highlands, that's it. It's just a big mountain and the top of it is a nice green place where you can look at the horizon and see green and blue behind it. In many ways, if we were to put a landfill near Pennsylvania Highlands and we were going to do that in a way that it wasn't apparent to the people who live there, it might end up as a wall, or begin as a wall, put some trash there, and don't forget the liner. Cover that up and if it was created that way, it would protect the Pennsylvania Highlands and the people that lived in the surrounding areas wouldn't have to see damage caused by that. It just would be out of sight and out of mind, which would be nice; however, if we plan them properly and we want to destroy those highlands, we'd use a different process. We'd built a visible wall that people could see, elevate the trash scape above the existing elevation, pile it as high as you can, and if you really wanted to irritate folks, you could put a big machine on top of it. If it had a big enough horn, we would all hear it. Obviously, this is not something we want to see in our community and some people may have experienced that. However, the question really is, that would damage our natural beauty. He's sure nobody wants that. In a reality, could that really ever even happen, could it? That takes him to where we are today, just a quick look at the landfill that exists in our community. Here is the plan we just saw. This is the operational area of the landfill today. If you look at that from a satellite, you can see that very, very clearly. Here you can see the landfill and the yellow line is the actual zoning area that allows landfill operation. He believes the landfill already exists over here to the east, and it could be operated in any part of that yellow, he assumes. That being the current operational area, if you look at that at a very clear topographic map, it shows exactly where that is with respect to the mountains in that area. This is green hill, you can see the primary mountain right there. It's a big one, very steep sides. This is another steep mountain over here and another kind of plateau over yonder. There was a ridgeline on the Township's version of this, and that ridgeline goes right across the top here. The question is, what's the view of this ridgeline as it exists today? What's the result of what's been created so far on that ridge? If you look up there today and drive over to 33 and Freemansburg Avenue and look up to that ridge, that's what you are going to find. You are going to see a big piece of heavy equipment up there, and an elevated mound that's well above the existing area. The trees all have been removed at the top of that hill; and unfortunately, it looks very much like the silly picture he put up there before. He believes that activity is happening right here in this red area on the crest. These areas are no longer in operation, so he's assuming that's where it is. Again, there's the raised mountain and he doesn't know what that stuff is, but it looks like an active area to him. If you look at this from the CVS, a little bit to the west of Bethlehem Township, you see also a baring landscape there. There are a couple of features he wants to point out that are really clear from that location. There's a retaining wall on the down side of the slope which means that retaining wall is really what's keeping, he guesses, the trash up there. There's a screen up there and he's not sure

what that's for. There's vultures kind of using it, it's a hangout. If you look from the Sands Casino, you can also see it from there. This is actually a view more from the side here. You can see clearly the mountain top is really defaced up there. South Bethlehem, the same thing from this community here. You can see the entire top of the mountain and every part of it is basically been removed trees of any kind. If you look from Hellertown, you get the full back view of the landfill and it is what it is. From Wassergass Road, that's probably one of the most beautiful areas of Lower Saucon Township, in his opinion, looking past this beautiful stone building, you see the landfill in the back there. Unfortunately, when this picture was taken, the residents were asked if they knew what that was and they did say they thought it was a rock quarry; and they've lived there for some time. There are a lot of folks in our Township who don't even understand what that is. He can tell you they were very unhappy to understand that's what they looked at every day, it wasn't a rock quarry. From Applebutter Hill, that's very up close and personal, and those who have never seen really close up an operational part of a landfill, that's it right there. These are the last remaining tree in that area. They are now protected with barbed wire fence – conservation. Part III – there's just some health and environmental hazards here. He's not going to spend a lot of time with this. There's no debate here whether they are good or bad and he doesn't want to start that. It's another day. The bottom line is when you put a liner here under a landfill, it's expected that the liner is going to leak. There's an actual technical term for gallons per acre, or something like that. He's not going to bore you with it. Leaching is a possibility in a landfill and leaching into our ground water is a concern for us, as citizens here. In addition, runoff is another possibility. Obviously, it rains in this area. The rain runs off this hill. We're concerned about where that runoff goes and whether that runoff is going to affect our streams and rivers. This is a picture actually of, and he doesn't know, but he will ask the people up at IESI, what that is. It might be something to help bring the water into a specific area, but he doesn't know right now if that's true, he will find out. The last, but not least, is landfill gases. This is probably one of the hotter topics about landfills these days. The out gassing of methane from landfills and there are some other gases that are much less desirable than methane that go along with the lower quantities. Unfortunately, we have wind that blows across this landfill and it is a possibility that wind brings those gases into another part of our Township, which could be damaged by this. There are a couple of blurbs here that he wanted to mention. This is a quote, there's no doubt that given the diversity of the material coming under the heading of waste, there's considerable potential for hazardous exposure to occur through waste management. That's from the Health Hazards and Waste Management Study from the Institute of Environment and Health in Lester, UK. It also goes on to say a study of 21 European waste sites found that residents within three kilometers of a site, was associated with a significantly raised risk of birth defects. In addition to cancer, the EPA has observed that gases emitted by landfills cause liver damage, blood, liver, kidney, facial and limb abnormalities among children, spontaneous abortions, none of this stuff sounds very good. A New York study of 38 landfills found that women living near solid waste landfills have a four fold increase chance of bladder cancer or leukemia. He will move on to Part IV. Part IV is the question of rezoning and he understands we are just looking at possibilities here. There's a limitation to what happens here in this room today. There is a relationship between the landfill expansion and rezoning or we wouldn't be here if the landfill expansion wasn't being asked for, in any event. We saw this before. This is the current operating area in brown with the area in yellow which is zoned for landfill. IESI has requested that Phase V be considered. That's an expansion request. If you look at the red outline, that's the outline that's being requested. In addition to that, based on the request, it's his understanding, and please let him know if he's wrong, based on that request, the Township then creates a potential plan for rezoning of land that might allow that, is that correct? Attorney Treadwell said yes, the landfill came into a public meeting and said they had a concept for expansion and the Township Council looked at it and directed the PC to examine the issues. Mr. Wells said thank you, he just wanted to make sure he was right on that. IESI seems very confident that they are going to do exactly what they suggested. They began purchasing property over the last several years and this is in an order, and he didn't take the dates on them, but you can see over time, every single piece of property that is within the limits of their requested boundaries has already been purchased by IESI in excess of \$4.5 million of property purchases on the off chance that this might be approved. He doesn't want to comment on that, other than he thinks

that's a lot of confidence. The Township, of course, as is required, created a suggestion of what an area might look like that might be considered for rezoning, and that's what you see in the blue boundaries. Ms. Stern Goldstein said she believes the word was potential and not suggested. There are potential areas to be studied and considered. Mr. Wells said okay, potential. Attorney Treadwell said are you showing Option B or Option A in that blue line? Mr. Wells said he's showing Option B, that's the big one. With that in mind, we're looking at that outline right there and he wants to bring something up, and it's in the newest version, a proposed zoning ordinance amendment, it's a very new thing. The very end of that proposed zoning ordinance amendment says in summary, the PC's recommendation to amend the zoning map must be based first and foremost of the sound land use and principles, so he just wanted to insure everyone in this room understood that that was the basis of the decision, the sound use and planning principles. He wanted to take a moment where some of those might come from. Where do those land use suggestions come from? What is the origin of them? Our government spends resources and hires some very intelligent people to create plans that assist us in zoning creation, or protection of our natural resources. One of them is Lehigh Valley Greenway Plan, first page just says it is financed by the PA Dept. of Conservation and Natural Resources, and it goes on to say there are many valuable natural resources worthy of preservation. He believes that the purpose of this is to identify some of those natural resources worthy of preservation. It also goes on to state that the cities around us put strong environmental pressure on our area here and that our natural resources are at risk. The creation of a sound greenway network will preserve many of the remaining features that the Lehigh Valley residents treasure. This is an example of one page in the overall Greenways Plan. It's called the Lehigh River Greenway. It's specific to our area. He wants to bring out a couple of key points that are in the text of that greenway description. It says the Lehigh River Greenway is part of the National Heritage and State Heritage Park; and important natural areas include the Steel City Slopes. By the way, there are only six important areas in that greenway that are talked about. One of them is the Steel City Slopes. If we remove all this text and look at the map and the area in concern for us, it's in the red area, which he will blow up so you can see it. You can see the Lehigh River Greenway right there by the Steel City Slopes being an important natural area, that's the area that's covered by the Steel City Slopes and it's marked specifically for conservation. He'll overlay this area specifically over the potential area for rezoning in a moment. We have a second plan. The first was developed by Lehigh-Northampton County; the second is a Multi-Municipal Comprehensive Plan which was developed in 2009, so it's relatively new. This is created by Hellertown in conjunction with LST, and Saucon Valley School District to work together to, well let me tell you what it says. The document identifies the goals and strategies for growth and conservation for community. It's adopted as a resolution, serves as a guide, and the zoning ordinance is used to implement regulations that are consistent with this plan. He'll say that again, the zoning ordinance, which is a legal instrument, it's used to implement regulations that are consistent with this Comprehensive Plan. He'll show you one of the pages of this Comprehensive Plan, regionally significant natural resource areas. There's a specific area of that map that corresponds to the area in question. You can see it there in red. If he blows it up and spins it around, you'll see there is a very large part of the area where we live that is a regionally significant sensitive natural resource area. This was a resolution to adopt the plan through all three of the municipalities. He's going to blow up what you see here so it's going to be a little bit easier for you to see, but it was signed by the Township Manager. It says all the participating stakeholders, Hellertown, Lower Saucon and the Saucon Valley School District, agree to charge their administrative staff with participation for collaborative efforts; therefore, it is resolved by the Township of Lower Saucon that the plan is attached hereto be adopted and signed by the Township Manager. If you look at the proposed areas of zoning change, and we superimpose the areas that are specifically designed for conservation to be protected, you'll see they fly right over the top of the entire zoning suggestion. He is 95% accurate that this is very, very close, right on the money with respect to where it should be. If it's off a little, it's not off by more than a speck. A lot of time went into this. Also, you can see that the Lehigh Valley Greenway Plan also covers the vast majority of the suggested, proposed, potential, this is hard. When you put these two together, if he got it right, and he's pretty sure he did, the existing operation of the area of the landfill already encroaches on that environmental area and he thinks the most important part of the point here is

that both of these plans define sound land use and planning principles. This is the definition of it. This is the people we paid to come up with it, and what must the PC recommendations be based on here tonight or some other time, if we've tabled it. Basically, in summary, it has to be based on sound land use and planning principles. He wants to summarize and say first of all, zoning decision of the past have already resulted in the defacing of our natural skylines. He doesn't care what it looks like on a map, it's not hard to see it. Rezoning would give IESI carte blanche to continue that in the future, and we ask that you recommend a no vote to any changes in the zoning classification in the current landfill areas. Rezoning would also give a green light to the clear threat of significant increases in air and water pollution in LST. We're recommending and asking that you recommend a no vote to any changes in zoning classifications in LST in that area. Rezoning would also be accountable for increased life threatening health conditions and a lower quality of life for citizens in every direction surrounding the proposed landfill expansion. Again, we are recommending that you go forward with a recommendation of a no vote to the Township Council. Also, rezoning would be held responsible for the destruction of regionally significant natural resources areas right here in our Township. Again, we ask that you recommend a no vote. And last, but not least, the zoning ordinances implement regulations that are consistent with the Multi-Municipal Comprehensive Plan, a plan that our Township's staff and officers are charged with upholding. Rezoning would violate those Township's responsibilities to our neighbors and our citizens and we recommend that we not do that. Ladies and Gentlemen, he believes it's our responsibility to leave a legacy to our family and grandchildren that is far beyond what's on the horizon as what he sees today. We have an obligation to move forward in a responsible way and he asks that you take charge and do the right thing with respect to protecting our natural resources and health of the people in our community. Thank you very much. Mr. Landis said he thinks it is, one statement should be made, you realize this board was very instrumental in the Comprehensive Plan. It was not done by staff alone. We're quite aware of what is in that plan and we are quite away of that. We already knew for a half an hour. Loud (ooh's and aah's). Someone said relax, relax. Don't get mad, relax, relax. Someone said have a little respect.

- Matthew McClarin, 2198 Riverside Drive, said he would like for one of you to read the definition of a rural agricultural district to everybody here if you can. Does anybody know the rural agricultural district definition in your zoning code? Mr. Maxfield said this is your performance, you read it. Mr. McClarin said okay, the rural agricultural district provides a rural low density living environment. The area is extensive and without development related public facilities such as water and sewer, the district is established to encourage agricultural and related activities as well as to conserve unique natural features, such as flood prone, and sloping areas, forests and wildlife habitats and to protect watershed areas for the Springtown water system and the Hellertown water system, water supplies. This district is established to allow development while encouraging protection of valuable natural resources. That's the definition you want to change into Light Industrial. He just wants to make that clear. Mr. Landis said we're not changing the zone definition. Mr. McClarin said no, yes, you are changing the zone. Okay. Mr. Maxfield said we're not changing anything yet by the way. Mr. McClarin said okay, okay. In the text amendment part of this zoning change, it states "an applicant proposing to develop an industrial use within the limit industrial zoning district shall be permitted with the written approval of LST Council to utilize and disturb a greater area of natural resources than would be otherwise permitted by the Resource Protection Standards contained in Section 180-95, herein provided the applicant preserves an equal amount of land outside the L&I District to open space. Now in a letter to an attorney posted on his Township's website today, there was a quote on it, and he'd like to share this quote "the possibility of a contract zoning issue being raised occurs when a property owner or developer promises something which they are not otherwise required to do in return for the Township changing the zoning map classification of the property involved. For example, if a shopping center developer promises to build a park for the Township, in return for the Township rezoning his land, that's an area to give rise to contract zoning allegations. This sounds very familiar to the text amendment in the zoning change proposed except that instead of the developer promising something, the Township is promising itself something in return for modifying or changing the zoning. Do you honestly think that Council or the PC won't be swayed by this text amendment alone? It tells them who cares about those important natural resource areas. There's already a landfill next to it. Let's

save some other natural resources in the Township away from that area, the developer will pay for it. Going from a RA district to a LI is way off base. They are completely opposite in definition and character. He believes if it wasn't for the tune of \$1.6 million a year which you are not allowed to base your decision on, this proposal wouldn't have even made it this far. This zoning is for the special interest of this Township and one company, not for the interest of the community as a whole. This text amendment is appalling and for any of the EAC members on this board, you should be ashamed of yourselves if you even consider this. Bob has made a presentation. Mr. Landis said wait a minute. Mr. McClarin said he said if they do. He didn't say if they are. Mr. Landis said you are certainly able to speak, but don't start hacking people. Mr. McClarin said let me finish. Mr. Landis said he has the floor right now. He just wants to set some rules. If we are going to attack people, forget it. Mr. McClarin said he didn't attack anybody, sir. Mr. Landis said you said a person on the board. Mr. McClarin said no, he said if EAC members on this board. You should be ashamed of yourselves if you consider this. Mr. Landis said knock it down. You certainly have your rights to say and he wants to hear what you have to say, but he doesn't want to hear personal attacks. Mr. McClarin said this is a quote from the EAC's website, "in the end, our society will be defined, not only by what we create, but what we refuse to destroy". Thank you. Mr. Landis said that quote on the website was by our Township Attorney. Attorney Treadwell said yes. Mr. McClarin said he knows that.

- Mr. Gene Boyer said he lives on 2161 Saucon Avenue in Steel City. He knows everybody has seen the map. Everybody knows where the greenways are and so forth. Part of this procedure, he understands is a potential zoning ordinance amendment. Is that correct? Attorney Treadwell said the entire process involves a potential map amendment and a potential text amendment. Mr. Boyer said the text amendment, that's what he meant. According to the paper you handed out when you did this originally, it was called potential zoning ordinance amendments. Attorney Treadwell said okay. Just to be clear, the zoning ordinance contains both the map and a lot of text. This proposes to change both. Mr. Boyer said part of this. Attorney Treadwell said yes. Mr. Boyer said there are a number of things on this two-sided piece of paper and he'd like to go for a couple of quick questions. One is Item No. 6, revise zoning 180.82.C to read maximum pervious surface ratio with 60%. Do the members here know what the percentage was prior to that? Mr. Maxfield asked in RA? Mr. Boyer said in whatever you are replacing it with, what was the ratio prior to that? Attorney Treadwell said you are going to have to be a little more specific. He's not sure what document you are reading from. Mr. Boyer said he's reading from, it says DRAFT. Attorney Treadwell said he sees DRAFT, but he's written a lot of documents with DRAFT. He's not sure which one it is. Mr. Boyer said you handed it out with two maps and called it, he assumed it was called part of the text, which was part of the proposal of what was happening. It's called potential zoning ordinance amendments. Attorney Treadwell said now Chris Garges can answer your question as we now identified what that is. Mr. Garges said he just got the zoning ordinance out and Section 180-82.C currently reads coverage maximum 60%. This change would make it maximum impervious surface ratio. It's kind of updating the terminology in the ordinance. Attorney Treadwell said in other words, it's not changing the percentage; it's changing what it's called. Mr. Garges said correct. Mr. Boyer said right. Really his question was to the people on the panel, not to the guy with the crib sheet. He'll go to the very end of this, and he understands there is a whole section called G that's being called Natural Resource Mitigation Alternative. What that is in his summary is that basically people when there's a zoning change that they can allow to be purchasing other property somewhere else to replace what's being used by them, is that correct? Attorney Treadwell said he thinks he would explain it a little differently. Mr. Boyer said okay. Attorney Treadwell said that subsection G, if the map change were to occur, either it be Option A, Option B or Option C that was discussed earlier, the Township zoning ordinance has restrictions on the amount of natural resources that can be disturbed. For any industrial use, to use any of the area that would be located in one of those map change options, any industrial use, practically any use to use that area, they would need to disturb some of those natural resources. Those natural resources include steep slopes and a couple other things that Judy is more familiar with than he is. But what that section does is it allows that property that could potentially be rezoned to be used, and it requires anybody that is using those properties to replace those natural resources that they may disturb, on an acre per acre basis, somewhere else. Mr. Boyer said that means somewhere else in

the Township? Attorney Treadwell said correct, outside of the LI area. Mr. McClarin said if you disturb an area of steep slope, it's just an equitable area somewhere else in the Township. Mr. Boyer said No. 8, which is the last item on this two page document that you handed out, says "in the event that the applicant demonstrates to the satisfaction of the Township Council that it was unable to obtain any property for dedication as open space, the applicant may meet mitigation alternative requirements of this Section G by submitting a fee in lieu of dedication in accordance to the LST fee schedule resolution in effect at the time". He would like to know what is today's LST fee schedule resolution? What is the amount or how is it based on? Attorney Treadwell said that specific item you are referring to would not go on to the Townships fee schedule resolution unless and until the zoning map changes are adopted and the text change map is adopted. That item you are talking about doesn't exist. LST has a fee schedule resolution that sets for the fees for a wide variety of different things, a building permit, a subdivision application, a land development application, going to the ZHB. There are probably fifty things on their fee schedule resolution. Mr. Landis said there are some other subdivision type things. Attorney Treadwell said a recreation fee in lieu of recreation land. Mr. Boyer said if this goes in, we have no idea what consequences anybody, it could be a dollar in the future? Mr. Lychak said the word should be may. Mr. Maxfield said that also depends on recommendations of PC and Council. The whole concept has to be accepted. Mr. Boyer said he believes the map that was put on the website yesterday, which was Exhibit No. 6, the typographical and ridgeline locations, it shows the landfill Phase IV called future development. He thinks the Township ought to be up-to-date and from Bob's presentation and other resources, that there isn't any future development there, you are actually using that today, so shouldn't it be noted correctly on the map? Attorney Treadwell said it's noted on the map as future development because it's not done yet. Mr. Boyer said okay, thank you.

- Guy Lesser, 2185 Skyline Drive, said he appreciates the opportunity to talk to you this evening and just comment on an agenda item that's very important to us here and to many others who would like to be here tonight and are unable to be here due to conflicts. He's talked to a number of residents of Skyline Drive about this topic and we have two points that we'd like to make tonight. The first is that we would strongly, very strongly request that each one of you take no action whatsoever to encourage the expansion of the landfill westerly. As part of that, you take no action whatsoever to encourage the altering of zoning in the area west of the landfill to change any of that to Light Industrial. He can tell you that we couldn't feel much more passionately about that than we do. Secondly, we're not opposed to altering or consistently altering the zoning of property that is bound on the north and west by Applebutter Road and the City of Bethlehem and on the south by the hill that extends by Steel City to a Light Manufacturing type of zoning which would exclude the expansion of landfill activities. The type of activities that are really devastating to our property, but would perhaps in future decades lend to the Township to potentials for development that would be more consistent, more in line with the properties that are there, or the type of development that might be associated that would include buffers, landscape buffers, would be somewhat compatible with residential use. Again, he thinks you for the opportunity to speak and we request that you respect our opinions, our concerns. Many of us who have been residents have homes in that area. He's also reminded of an opportunity Township residents had a number of years ago regarding a possible increase in their taxes. They voted, as we know, very strongly to increase their own taxes for the purpose of land preservation. Some of the options you have tonight that alter zoning to Light Industrial encourage landfill expansion, I think we can say the exact opposite of what the majority of residents voted years ago and that continues today, that increased tax to preserve land. He would hope each one of you would keep all of that and whatever else is said here tonight in mind as you consider your future recommendations to Council. Thank you for the opportunity to talk to you. Mr. Lychak said he drove on Skyline, all the way to the end as far as you can go where there's a tree down, where are you at, the end of it or the beginning? Mr. Lesser said as you drive up Skyline Drive you eventually come to an area that's wooded on both sides, and just after that wooded area on both sides there are several homes to the left, they have one of those homes. Mr. Lychak said there's a lane that goes up there. Mr. Lesser said yes, if you turn on that lane, they'd be to the left of that lane. Mr. Landis said you are west of Hater. Mr. Lesser said correct. Mr. Garges said see where my pointer is, that's where Mr. Lesser's house is. Mr. Lychak said can you observe the active landfill operations from your home? Mr. Lesser said that's a comment he may

have referred to, but no, they cannot, whether they are in their yard or on their patio or any of the floors of their residence, they can't see any of the operation of the landfill. Of course, as it moves closer to your home, it's more likely that you'll see that, hear it, smell it and it will be devastating to your property values.

- Dave Yakovoni said he's from Bethlehem Township, so to give you an idea how far this is reaching. He happened to meet Russ the other night when he was in their yard taking pictures. He and his wife have watched this landfill get taller and taller and we can see the back of it now. It really concerns him to hear these last comments. He knows everyone has their individual concerns, but compromising the other parts of our community for the benefit of one part, he thinks is really even worse. Just say I'll put it over there so I can't see it is a pretty bad decision. His biggest concern is the potential, as you keep putting it, leads to proposal, leads to this. When we make one decision it's a step and a journey. If we say we are just going to rezone this Light Industrial, but then there's exceptions to be made after that. He noticed on the website, and he printed off what's available for Light Industrial, and nothing on there states landfill, is that correct? Mr. Landis said obviously we have a landfill in Light Industrial. Mr. Yakovoni said he understands that, but it seems an exception exemption is necessary. Attorney Treadwell said right now the landfill is a special exception use in the Light Industrial district. Mr. Yakovoni said it's not on the list of what's available. Attorney Treadwell said it's a special exception. Mr. Yakovoni said he understands the attorney's are going to speedily move that process through if they get this approved. If it's adjusted as Light Industrial, that's their next step is to move for these exceptions. Attorney Treadwell said let's go back a step so everybody understands. Mr. Yakovoni said the attorneys representing IESI. Attorney Treadwell said in a zoning district there are three ways you can get a use permitted. One is it is permitted by right. Two you need a conditional use which means you have to go to the Township Council and get their approval and the third is a special exception, which goes to the ZHB. When the landfill created the current phase they are doing now, they had to go to the ZHB to ask for the special exception approval. There's no exemption, it's a special exception. The ZHB has to approve it. Mr. Yakovoni said they got an exception for this size landfill, correct? Attorney Treadwell said they got a special exception for the outline in yellow that you see on the map in front of you. Mr. Yakovoni said no matter what we start here, if we rezone this as Light Industrial, it can be that whole mountainside; it can be all the land they purchase, eventually. But if we say no, it's not going to be rezoned Light Industrial, the whole thing stops, this whole meeting is over, everybody's happy. We're not worried about our property values any longer. We all sleep better at night and we all feel that you are doing your job. That's pretty much all he has to say. He'd strongly say you say no to any of this because every journey starts with the first step and this is the first step. Mr. Maxfield said can we be clear about one thing and this goes back to Mr. Wells presentation where he had a large zoned area drawn in yellow and it said landfill can go anywhere in here. There's a zone where, as our attorney said, it's a special exception, where it is allowed as a special exception, but there are many, many environmental concerns. The landfill will tell you, they can't put a landfill anywhere. They can't take the whole mountain. Mr. Yakovoni said they are already encroaching in this significant area. Mr. Maxfield said there's a lot of things they cannot do because of environmental restrictions that exist outside of the zoning zone we are talking about. Mr. Yakovoni said are you telling me that everything in the future will always follow the regulations set forth by the past? Mr. Maxfield said well, hopefully as much as possible, yes. Mr. Yakovoni said let's not give them the opportunity to do it wrong. Mr. Maxfield said the attorney will tell you special exception is also kind of a strange term as they say in government, it's neither special nor an exception. Mr. Yakovoni said until the next special exception needs to be coming along, or defining things or changing things. This is what it's all about. He lives in this area because he likes trees, he leeks the surrounding area that he lives in. He doesn't want to see a landfill. He doesn't want to smell a landfill. He doesn't want property going down in value because of a landfill, because of a decision just to put dollars into a township. It's just not worth it. The legacy is going to expand way past that.
- Russ Sutton, 2133 Saucon Avenue, said they moved to Steel City 26 year ago because they liked the rural environment. He's a health care professional and he works with people all the time that have respiratory problems and many other difficulties and he knows what environmental factors can relate to health problems. He's the person that took all the pictures out there on the bulletin

board and he'd like everyone to see it. He has a question to the PC, has everyone of you personally went up to that area and all the other areas of Bethlehem Township, the Stabler Arena, Route 33, Wassergass? Have you personally been up in that area? Have you been up on that mountain? Have you been up in that area and saw how beautiful that area is? Do you know what the dump looks like now and what it could turn into? His problem is that thing is a giant methane field. We had a fire up on the mountain the other time where the power lines are and Steel City, we have one egress, in and out. If that's blocked we cannot get out. If that's going to expand, that's going to be a methane field. If he remembers correctly, methane is flammable. What provisions do they have from preventing a fire? We only have local fire districts that are volunteers. We have a lot of environmental issues there. He's very concerned about it. It has a big impact on our environment. It has a big impact on our property values and the aesthetic values. He doesn't like looking in his back yard and seeing a garbage dump and he doesn't think anybody else wants to. He understands that. He understands the Township has to raise revenue and do the best thing for the Township. Your citizens are asking you to respond responsibly to this and we are the constituents of this Township, and we're the ones paying the taxes. We strongly advise you to not change the zoning, and all the Steel City people and everybody in the area agree to this. If you don't agree to what we do, what are you doing on the PC? We are all citizens, we have an input here and he knows you are allowing them to speak. Their concerns are environmental, and if you are going to put that on the mountain, Steel City only has one egress in and out, we're trapped. If that thing catches on fire, we're not getting out. So who is going to be responsible for that? Mr. Maxfield said again, there are people who are here that can speak better to this than he can, but just to make it nice and short and simple, there's a methane catch system already in existence that captures it. We have a plant called BRE that uses that methane to generate electricity. What doesn't get used, gets burned off in a flare. BRE has had some problems lately and they have to redo some tanks and things like that, so that's being burned off the flare. Again, this goes back to Mr. Wells presentation, there's not gas leaking out. Mr. Sutton said he didn't say there was gas. He said the potential for gas. Mr. Maxfield said well, Mr. Wells did. He said he had a thing like gas was all over, but that is not the case. Mr. Sutton said that gas wasn't methane, there could be other things in that landfill that we're not aware of. Mr. Maxfield said landfill gas, the biggest component of that is methane, and it has to be cleaned up before it's used for an electricity generator by BRE. That's simple. Mr. Sutton said he also heard environmentalists say the worst thing you can do with methane is use it for burning electricity, and that the by-products are worse than having methane in the air. Mr. Maxfield said letting it go and burning it by a flare is worse than using it for electricity. We went through the environmental controls and environmental recommendations with DEP and everybody else before BRE ever went in, so where was everybody then? Mr. Sutton said when the landfill started buying the property up there, isn't it coincidental that we're thinking about rezoning in that area when they are buying all that property up there and they don't even have permission to go on it. Mr. Maxfield said back again to Mr. Wells presentation, the landfill has been buying property there for years and years as has Conectiv. As anybody will tell you that's involved in an industrial use, they buy the properties around them to eliminate neighbor complaints, not because they are assuming that they are going to expand. Audience is laughing. Mr. Maxfield said laugh all you want. Why would Conectiv buy property across the road because they are going to expand across the road? Let's use our brains here, please. Mr. Sutton said just one other thing he wants to say, they went on a tour of the landfill and they were very gracious to show us the landfill. They told us to the extent they were going. The last question he had to ask them was, what is your future plans? They said only to this point. If they are only going to that point, he doesn't understand why they are buying this large acreage on this side of the mountain.

- Judy Rudolph, 2172 Mixsell Avenue, said she has property at 2664 Quincy Avenue. At the last meeting, you tabled this because you were going to be going around. Have you gone up Quincy Avenue, Mixsell Avenue, anywhere and what did you see? Let me show you two things you might have missed, and Sam have you gone up last week? Mr. Donato said (could not hear him). Ms. Rudolph said she did not see you go up at all, but did you see her grandchildren? There are many grandchildren like this, many children, and these are what we have to protect. The children are going to be affected. They are going to breathe the air from these pollutants. You have to put their

future in your decision and in your minds. Maybe you should make a decision as to if you lived on that mountain, what would you want there? Just make that decision.

- Joel Katz said he lives at 1877 Old Mill Road, which is not in Steel City. He is very much opposed to any expansion of the landfill. Just listening to the arguments and discussion so far, it is hard to see any reason for expanding that landfill if you are talking about best use of the property. Best use of the property. The only argument that he has heard that seems to be sensible is one you can't consider, and that is the notion that the landfill pays \$1.6 million and you'll lose that revenue for the Township sooner or later. There is no rational reason other than that money to expand that landfill. None. He realizes that nobody wants a landfill in their back yard. No one wanted a rails to trails, that is me, that ran right by his house, but the rails to trails at least was for the benefit of the residents. The landfill is merely a matter of money. It's merely a matter of money. You cannot seriously maintain that that's the best land use. It's simply impossible to do that.
- Priscilla deLeon said thank you for the opportunity to be able to provide public comment today. She is a Council woman in LST. She is here tonight speaking as a resident at the PC meeting and not as a Council woman. First of all, she'd like to thank all the residents who came out tonight to provide comments. Since 1985 to present, she has resided in Steel City at 2141 Saucon Avenue. For the past 25 years, she has served on the Landfill Committee and have been involved in all aspects of landfill activities of the Bethlehem Landfill, now owned by IESI. The Landfill Committee meets monthly at the landfill to monitor and review the operations of the landfill. For the record, on March 21, she voted no at the Township Council meeting to send this proposed map amendment and text changes relating to the IESI Bethlehem Landfill to the PC. She believes her knowledge of landfill activities, of the technology and its impacts to the community and environment lend a substantial level of credibility to her concerns with the proposed expansion if the zoning change is approved. Since 1993, there have been active operations with the same state of the art technology and operation methods such as the double liner system. There is a history of negative impacts that can and will continue as long as the site is active. Her concerns are as follows. Visual - despite early planned and improved methods to buffer the operations from view, permit modifications were allowed to the owner which no longer provides this. Trees have been removed and a high wall constructed so now daily activities and truck traffic are visible, not only from LST, but valley wide across the Lehigh River on a daily basis. Noise - despite the setting time limits for operations, daily noise of operations up on the landfill carry across the valley and are heard consistently by area residents as stated at a recent Council meeting. Traffic - despite the existence of a traffic control plan which is in force by IESI, truck traffic violations occur on a regular basis. Violations include dozens of documents of over weighted vehicles monthly, and unsafe driving on Applebutter Road. There had been accidents and an overturned trash truck. These traffic issues put motorists at unnecessary risk on a daily basis. The last inspection of the IESI Bethlehem Landfill scale by the state of PA was conducted on January 19, 2010, when annual inspections are required. Environmental Impacts - despite the state-of-the-art technology, the landfill owner has not provided the level of protection of the groundwater and surface water or air quality that was anticipated. This is all in her opinion. Closer monitoring, improve maintenance and proactive assessment and repairs could have prevented many incidents. Examples include: in 2011, there were two uncontrolled releases of leachate from the active site area. Both leachates were remediated. There has been leachate flowing into the protective leak protection zone of the liner system documented from the year 2000, which still has not been corrected to insure proper functioning of the protector liner, primary liner system. There are still no repairs or remediation plans to eliminate the long term compromise of the primary protection system for this site. In February 2012, there was an uncontrolled release of hazardous gas condensate associated with the gas management system to the City of Bethlehem Waste Water Treatment Plant resulting in the evacuation of the plant and an NOV was issued. IESI had to pay a fine of \$45,243.51. The release resulted in the revoking of the permit to discharge the landfill gas condensate to the City. In April 16, 2012 letter from the City, contained numerous discharge violations. In addition, 22 violations for failure to properly operate and maintain a pre-treatment facility causing potential harm to the environment and the waste water treatment plant. From February 7th through March 1st, the City's letter dated April 16th to the IESI was received by the Township on May 21st, five weeks later. IESI leases the site to BRE. Are they on the agenda tonight? Mr. Landis said they

were, but it's being tabled. Mrs. deLeon said she has major issues with that whole application. The applicant for this pre-treatment thing, their May 16th letter was silent leading up to the NOV request, and very disappointed in the context of their letter. Very uncomfortable with this letter due to the lack of maintenance of the previous simple system. There have been high methane level releases from the inadequate cap maintenance on several occasions. A notable recent incident was on November 2010, resulted in fire and emergency response to the site. There also has been red bag waste, radiation waste delivered to the site, ground water sampling results of downgrading to wells continues to show some chemical contaminants well above the maximum secondary maximum contaminant levels which are drinking water standards. There have been several reporting discrepancies most recent without a state tonnage which has been updated. These are just some of the incidences that are a result of the human error and inadequate preventative maintenance and the lack of ability to grow these items to 100%. These incidents are the basic nature of a landfill operation. These significant events, as well as the daily visual and noise impacts, will continue as long as this site is actively operating. The impacts will also increase if the amount of waste delivered to the landfill on a daily basis increases. An increase in daily tonnage would increase traffic, noise, leachate and the opportunities for mistakes and lack of oversights. The above examples are now the facts, not what ifs. We have a host agreement which is required by DEP and the permitting process. In 2001, IESI signed a host agreement that states, in part, the parties agree that the common law zoning doctrine of natural expansion shall not be utilized as justification for the expansion of any landfill activities on the parcels referred to in this paragraph or any other parcels acquired by IESI in the future. That was 2001. According to the draft natural resource mitigation alternative we talked about earlier, in her opinion, approving this goes against everything we have worked for, for preserving open space and natural resources. Last year our residents approved an open space referendum paying more in taxes enabling us to protect sensitive natural areas such as woodlands, streams, valleys, wildlife habitats, as well as remaining farmland, future recreation areas and historic areas that define the unique character of this Township. Then the Township proposes this alternative. She's really bothered by that. We have a very special greenway, which she isn't going to go into. We talked about the Lehigh Valley Greenway plan, the Natural Delaware and Lehigh Heritage Corridor. She was part of the planning process back then when it was proposed. She thinks it was one of three in the whole country. We have one on the Lehigh River, so we have a real special area. Closing the landfill won't put undue hardship on any resident; we have two other landfills in Northampton County. In closing, she would like to take the quote from Matt McClarin, "what will you think when you drive down Applebutter Road, look to the left, and see not a single person working, not a tree, not a house, not a historic building, not a business, not a piece of our community. All you will see is a green wall that can never be developed again." Please vote no. Thank you.

- Atom Kallen from 4263 Roberts Avenue in Steel City said he was wondering why is the Commission considering rezoning the land? Is there something we specifically need or want from this? Mr. Landis said they asked us to do it. Their reasons for it, he's not sure about. Mr. Kologie said in the comprehensive plan, it looks at the area where we are focusing on tonight and identifies that area as use for business enterprise, and industrial use. The area we are focusing on was identified as future industrial use in the comprehensive plan. That's the appropriate time to come and talk to any planning group when you are doing a comprehensive plan as all we are doing now is implementing what was in that plan. When you talk about don't start the process, we started part of the process when the comprehensive plan was being prepared, so we're looking at that. If you look at the area out there, and what is surrounding the area we are talking about rezoning, across the street is the city property. That's all industrially zoned. We have the landfill; we have the power plant, not too far down the street is the city's waste water treatment plant. When you look at these high intensity uses, this is the type you would look at. Mr. Wells referenced highest and best use of the land, either real estate, professional and that means maximizing the dollar for development of the land. That's what that is. That's why we are looking at rezoning this, not because the Council said go ahead and look at this. It's because the comprehensive plan said that area is a future industrial area and now we're evaluating it. Mr. Landis said when we did the Comprehensive Plan, we were very involved in that plan. We looked at the Township in terms of its uses and places where it would make some sense to have some balance to get some industrial

base. That area and then because of what is happening in the City of Bethlehem and as a major development there, and also the other area, between 78 and Hellertown Road, there's a little section of area there. We also looked at that area and this area as terms of possible expansion of the LI. It's not anything that's brand new. What happened recently is Council asked staff to come up with a couple of proposals and they came to us for recommendation of one of those proposals, or do nothing, or a third proposal. That's why we are here. As to exactly what Council's reasons were for that, he's not sure. Mr. Kallen said he would like to ask based on the classification for Light Industrial, he saw on your website there were several potential businesses that could go into that business classifications. Of the several that were on the list, are there any in particular that have been suggested for that area or be best suited for that area, if it were rezoned? Attorney Treadwell said if the question is, are there any pending applications, the answer is no. Mr. Kallen said then the more general question is, if not a landfill expansion, then what else might we be dealing with down the road? Mr. Landis said there's a list. Mr. Kallen said yes, it's a very nice list. It's certainly exhaustive. He was just wondering if, in particular, out of that long list? Attorney Treadwell said he just wants to expand what Mr. Landis said that the underlying principle in any zoning change, whether it be from Light Manufacturing to Light Industrial or from a low density residential to a higher residential, the underlying factor is always looking at the Township as a whole and trying to determine from a future planning perspective, whether or not there is enough industrially zoned land or high density residentially zoned land and comparing that with the comprehensive plan and trying to come up with a plan in the future that shows a reasonable mix of all those uses. One of the questions that the Planning Commission is considering, and he's not speaking for them, is there enough industrially zoned land in LST? If not, where would be a good place to put some? Mr. Maxfield asked Attorney Treadwell to explain the curative amendment process as it relates to zoning? Attorney Treadwell said not in five minutes he can't, but a curative amendment is when a property owner comes to the Township and actually files some paperwork that says you don't have enough high density residential property in your Township; therefore, I get to put it on the property I own as you didn't plan for it. It could be any zoning district. You don't have any land that is zoned for a quarry. He wants to put a quarry in and you're not zoned for it, so I'm going to ask you to allow me to put a quarry in and if you don't let me, I'm going to go to the Court and ask the Court to do it. You have to provide any Township and part of this Planning Commission's job is to provide for a mix of all possible uses within its borders. Mr. Landis said this is our only LI district. Ms. Stern Goldstein said to elaborate on that, that's mandated by the municipalities planning code. Attorney Treadwell said correct. Mrs. Yerger said from the State. Ms. Stern Goldstein said yes, from the State and the zoning ordinance of any municipality be generally consistent, that's the phrase "generally consistent with the Comprehensive Plan". Joan Pell said she lives on Roberts Avenue in Steel City. She said is there a potential, you are saying, that somebody might want to come to you one day and say you don't have enough Light Industrial. Mr. Maxfield said we don't have any useable. Attorney Treadwell said he's not suggesting that that's a likely potential in the near future. He wouldn't want to give that impression. What he's saying is part of this Planning Commission's job and the Township's job as a whole is to plan for all uses. Yes, somebody could come in tomorrow and file something and say you don't have a Light Industrial. He doesn't have any knowledge that anyone would do that, but it's possible. Ms. Pell said she was just curious as if it's not happening yet, if nobody is coming and saying that, she sees how that happens down the road then, something could come of this later, and then they are going to plop some rules, but right now we're the people you are plopping on. We don't want anything to do with it so she doesn't see why the community that we are isn't included in part of this consideration. Attorney Treadwell said that's part of the problem with the curative amendment. Once the curative amendment gets filed, you don't have an opportunity to say oops, we'll fix it. Mr. Landis said now you can't say okay, we don't have an LI. We have an LI so we really don't need to discuss that as we have an LI. Mr. Kallen said to summarize are you saying that while we do have Light Industrial zoning already, that the Comprehensive Plan requires more Light Industrial or this is optional? Attorney Treadwell said the Comprehensive Plan is a guide and the MPC says the zoning ordinance must be generally consistent with the Comprehensive Plan. It doesn't have to be the exact same, it's a guide; and no, the Comprehensive Plan does not require that this area be changed to Light Industrial nor does it

require that it be changed to any type of conservation. It's a guide. Mr. Landis said for instance, we had something in front of us before, the Phoebe Home, which were not consistent with the Comprehensive Plan. They wanted to change the zoning and everything else, and this is basically consistent with it, that doesn't necessarily mean that it has to happen or anything else. We thought of this when we went through it, and basically the reason for it is because of what's happening across the street on Applebutter Road. What's going to happen on the other side of Applebutter Road - the south side is you are going to have a full industrial area. That's happening, you can see that. Mr. Maxfield said it's important that we also understand the relationship of the Comprehensive Plan and the greenways plan and all those other kind of things. They are drawn with broad brushes, the zoning ordinance is specific. Mr. McClarin said he wants to make sure you guys all see this, the area of open space here, and it dips almost all the way down to Skyline Drive. He understands that you said where is this open space going to be on that map. There is also a business enterprise zone that goes up almost to the ridgeline. If you specifically read that definition, in the Comprehensive Plan, business enterprise should blend neighbor industrial sites with residential areas. That's the definition of it. It talks about office space, flex space, manufacturing, and businesses like that which blend these two areas in. It shows nowhere on this map that industrial site should be right over Steel City or to the west at all. He just wants to make sure that, can she please read the definition of business enterprise if it is in front of her? Mr. Landis said Ms. Stern Goldstein came up with, we are consistent with our plans. We talked about this quite a bit during the Comprehensive Plans, not in specific what would be there, but Ms. Stern Goldstein did actually come back and had a view that we were consistent with and not only this, but also with the Northampton County 20-30 Plan. Ms. Stern Goldstein said generally consistent, yes. Mr. Landis said that's the point, he doesn't think it's any more than consistency. Mr. McClarin said if one of the major factors with Phoebe and those residences was it went against the Comprehensive Plan and that's something you considered. This also goes against the Comprehensive Plan. The way you are reading this map is wrong. It's dead wrong. He can assure you of that.

- Donna Louder, 2145 Johnston Avenue, said she just wants to know one little thing. If you change this into Light Industrial, are you going to dictate what Mr. Donato can do with the property he purchased or what IESI can do with the property he purchased? Mr. Landis said if it were to be changed to Light Industrial, and someone came for a use and wanted to do something, they would have to come in front of the PC. First of all, it would have to be done, which it's not going to be done at this meeting, it wouldn't even be done if we agreed to whatever. Ms. Louder said she knows all that. You said it ten times and she can comprehend. Mr. Landis said then what happens is they come in front of us with a site plan. It doesn't make any difference whether it's for a landfill or a silo or whatever could be there in LI. They would come in front of us. When they came in front of us, then we would review that plan and possibly put conditions in terms of the roads, the traffic, we'd do traffic studies, we'd do all kinds of things and compose conditions. Ms. Louder said but you cannot stop him from expanding on his property once you rezone it, LI. Mr. Landis said we can control how he expands on that property and the DEP can too; and we can prevent him from, for instance, building a hill that's higher than somebody can see a neighbor next door. We can do that. It's all in site plan. Let's try not to get into site plan tonight. We're not even.....Ms. Louder said she's not talking about site plan. She wanted to know if you can dictate to IESI what they can do with their property once they own that property, and you are saying they come to you with a plan, can that plan be totally denied on every aspect. Attorney Treadwell said only if it doesn't comply with the Township ordinances. Ms. Louder said the landfill's already there. Attorney Treadwell said correct. Ms. Louder said correct. Attorney Treadwell said if the plan doesn't comply with the ordinances, then it can be denied. Ms. Louder said then why would we even do this? Why would we even change it? Why would you even change it to Light Industrial if you have to go through this again, to get the landfill to expand? This is what she's saying. She doesn't understand. After everything you heard, all of you, after everything you've all heard, how many nights in a row, you still can't make up your mind. Shit or get off the pot. We don't want it in our backyard. She said let me tell you something else, I am on the Landfill Committee, and I spent four hours up there. They were so very gracious. She watched, she's seen, she's learned, questions have been answered and she greatly appreciated their hospitality. They are

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running a nice business, very nice business up to code as best they can, doing the best they can, and with the Uranium 226 in their backyard, with a 1600 year life, and the decay of that produces radon, which lasts 3-1/2 days. That's only the decay. Anyways, on to what she was talking about. She forgot. She is on the Landfill Committee and she has learned after spending four hours up there that she does not, even more so than she didn't want it before, she does not want this to happen. It cannot expand. This is just toxic; and BRE right next door, oh my God, that's like more toxic on top of toxic. The landfill section that is having the high rating of leachate, am I correct, is that's how it is said, anyways, that section was buried and closed and that's where all the problems are stemming from. Not their new landfill sections, the old section is leaking. They are doing their very best to deter by doing excavating and making sure it travels in the right direction and monitoring it every time it rains because every time it rains, more leachate gets out. You can't expand. You are playing with fire; and we're warning you. All the historical buildings they bought up, guess what, they are nailing the windows closed and letting them rot. Aren't you on the Historical Society, Sandra Yerger? Yes, you are. Yes, you are. It's on the website, dear, she saw it. Mrs. Yerger said unfortunately, she doesn't own the property. Mr. Landis asked if there was anyone else who wanted to speak? No one raised their hand.

Attorney Treadwell said he believes if there is no more discussion, there was a motion to table this and to ask the Staff to come back with an Option C at your July meeting, which would be July 26th. Mr. Landis say is there anybody else? Attorney Treadwell said when we ask the next time if anyone else wants to speak, please raise your hand.

- Rocky Viscoto said he lives on 4235 Lewis Avenue. He lives right next to the bordered property for the proposed B. What he has to say is everyone wants to get up here and say something, some of them do, and some of them don't. We're all sitting here because, and he won't say all of us, as he knows a few of us are not necessarily opposed to it, but most of this room is opposed to this and he's sure you are very well aware of it, but he felt he had to get up and say maybe one of us should get up here and say something, and say we don't want this. Whether they do or they don't, it needs to be clear.
- Stacie Misczenski, 4231 Roberts Avenue, said she knows that a lot of time and resources went into developing and finalizing the Comprehensive Plan, just three short years ago. It was used to identify community development objectives that were originally agreed upon. Now a proposal is on the table to rezone certain property in immediate relation to a landfill because it is proposed to be compatible with the surrounding zoning. The rezoning being proposed is not compatible with the residences of Applebutter Road, Ringhoffer Road, Skline Drive, Sherryhill Drive, or the community of Steel City. Changing the zoning contrary to finalized plans may look appealing for your pocketbook as well as on paper, but the proposal will affect the health and well being of the residents, livestock, horses, and historical landmarks that reside in those areas. Air, water, noise pollution, though regulated by agencies, compliance does not mandate compatibility. These parties cannot combine or remain together without undesirable after effects. We vote no.

Mr. Landis asked if there was anybody else? No one raised their hand. Attorney Treadwell said he thinks there was a motion to table and have the Staff report back with an Option C as we discussed earlier this evening.

MOTION BY: Mr. Lychak moved to table the re-zoning issue until the July PC meeting and to direct the staff to prepare an Option C map in accordance with tonight's decision.
SECOND BY: Mr. Maxfield
ROLL CALL: 7-0

A. BETHLEHEM RENEWABLE ENERGY, LLC – BETHLEHEM RENEWABLE ENERGY LLC WAIVER #WV 04-12 – 2335 APPLEBUTTER ROAD

Tabled

V. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF MINUTES - MAY 24, 2012

Mr. Landis had a correction. He said somewhere in the minutes, Hater Lane. It's Hader Lane. Mr. Kologie said he wasn't at the meeting.

MOTION BY: Mrs. Yerger moved for approval of the May 24, 2012 minutes, with corrections.

SECOND BY: Mr. Maxfield

ROLL CALL: 7-0

VI. PUBLIC COMMENT/NON-AGENDA ITEMS

Mr. Landis asked if there were any other agenda items? Ms. Judy Rudolph asked when the next meeting was taking place? Attorney Treadwell said July 26th. Ms. Rudolph said is there a possibility of changing the venue to accommodate as there will probably be more people at the next one? The one time you had it at Saucon Valley. Mr. Landis said before we go there, is the Staff going to have enough time to do this? Attorney Treadwell and Ms. Stern Goldstein said yes. Mr. Landis said he'll be on vacation. He said we can look into that. Attorney Treadwell said it depends what else is available. Mr. Garges said the school is not available as they are closed. Attorney Treadwell said we've had meetings next door at the fire company before. We'll take a look at it. Mr. Landis said we certainly want to have accommodations for everyone in the room. Mr. Maxfield said do check the agenda just to make sure that it's on the agenda, on the website.

VII. ADJOURNMENT

MOTION BY: Mr. Maxfield moved for adjournment. The time was 8:35 PM.

SECOND BY: Mr. Kologie

ROLL CALL: 7-0

Submitted by:

Mr. John Landis
Chair