

**Plainfield Township  
Environmental Advisory Council Meeting  
May 1, 2017**

The Plainfield Township Environmental Advisory Council meeting was held on Monday, May 1, 2017, at 7:00 pm at the Plainfield Township Municipal Building, 6292 Sullivan Trail, Nazareth, PA 18064.

Those in attendance were:

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

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

The pledge of allegiance was performed.

**Also in attendance:** Robert Kroboth and his realtor Rosalie Gephardt

**APPROVAL OF THE MINUTES** – April 3, 2017 minutes

**Motion – April 3, 2017 Minutes** - A motion was made by Bob Cornman and seconded by Bob Simpson to approve the April 3, 2017 minutes. **Vote: 6 Yes**

**OLD BUSINESS**

**Plainfield Township Zoning Ordinance and Farmland Preservation Regulations** – The EAC reviewed reasons why the Plainfield Township Farm and Forest Zoning Ordinance #307 needs to be revised.

- **Permitted Acts – Farmland Preservation** – An email with the regulations for Farm and Forrest Land labeled copyright 2004 Commonwealth of Pennsylvania were received from Ryan M. Shaw the Northampton County Farmland Preservation Technician. The EAC requested the County regulations. Only the State regulations were received.
- **Plainfield Township Zoning Regulations** - The current Zoning Ordinance regulations need to be updated to revise areas that conflict with land preservation and in order for property owners wanting to preserve to be able to meet the regulations.
- **Easement Purchase Matrix – Permitted Uses (Township vs. Guidelines) – Draft 5/1/2017-** Tom Petrucci compiled the information for the matrix and handed out copies for the EAC members to review.

Robert Kroboth was present at the meeting in order to address the EAC regarding his preserved property (G9 6 20626) located along Route #191 aka Bangor Road and Kesslerville Road. The property was previously owned by Meadow Drive Real Estate Associates. He purchased the property in 2008 from the housing developer. Mr. Kroboth noted that he has property that he wants to subdivide off in order to sell. The building envelope is 5.4 acres and the other lot is in the excluded area of the

land he previously preserved. In order to subdivide the property off in order to sell it the land area will not meet zoning requirements. He would like to sell off three lots of approximately 1.5 acres per lot.

Mr. Kroboth wanted to know why the Township changed the regulations to 5 acres for a lot. Bob Simpson noted that the intent was for 50% of the land to be developed and the rest reserved as open space. Mr. Kroboth noted that farmland preservation has devalued his property. The value of the land when it is appraised is less for preserved land. He would like to take the whole farm out of preservation and sell it as building lots. As a crop farmer Mr. Kroboth has problems with traffic, cost of planting per acre, the time to travel in order to sell the crops, and the amount the crops sell for not covering the cost.

It was noted that EAC members are aware of other property owners that went through preservation that have problems with the ordinance regulations. In some cases the landowners did take all necessary steps but still will not be able to subdivide off the land excluded due to Ordinance #307 requirements.

Rosalie Gephardt noted that her sister just sold a preserved farm in Moore Township for \$9600 per acre and the Kahler farm in Bushkill Township sold for one million.

Tom Petrucci noted that the preserved land cannot be calculated into the current formula in Ordinance #307 (Conservation by Design adopted in 2006) in order to subdivide a lot under 5 acres.

When Mr. Kroboth preserved it was with the understanding that the real estate taxes were to be frozen under Act #4. The real estate taxes are only frozen on the preserved land. The building envelope and excluded land areas are taxed at the current millage rates. Northampton County determines how Act #4 is put into place. The County made the decision to carve out the building envelope.

Whenever a landowner preserves land and/or subdivides land, breaking of the Act 319 or Act 515 covenant needs to be taken into consideration.

**Motion – Ordinance #307** - Robin Dingle made a motion to recommend to the Supervisors that the Township research revising Ordinance #307 by authorizing Tom Petrucci to work with David Backenstoe to review and make recommendations for the revision. The revisions need to address the discrepancies between the Township regulations and Farmland Preservation County/State Guidelines.  
**Second Bob Cornman Vote: 6 Yes**

Chris and Rosalie Gephardt have a preserved property located off of Fawn Lane and have problems with the way the driveway is configured. The driveway to the property is located off of the cul de sac on Fawn Lane.

As of now there have not been any subdivisions that have come into the Township under Act #307. Development has been down due to the economy. The millennial generation is also choosing to live in more developed areas where they can walk instead of having to travel to access restaurants, jobs, and recreation.

The LVPC is probably not looking at the farmland preservation programs along with the zoning in order to project the future population predictions. Farmland preservation should be taken into consideration.

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

- Tom spoke to Brooks Mountcastle and requested a six month extension until June 30<sup>th</sup> of 2018.
- The scope of work looks at zoning issues and view shed from the Appalachian Trail.
- In order to modernize our zoning uses for protection of the trail. A consultant will be utilized.
- Tom will put together the request for proposals. The RFP will include compile an inventory of the open areas, wireless communication ordinance, wind turbines, solar panels, wilderness areas, unique recreation sites, buffer zones where appropriate.
- Robin knows of computer software programs with the ability to show overlays of the area.

## **Northampton County Farmland Preservation – County/Municipal Partnership Program**

- Terry Kleintop attended four Northampton County Farmland Preservation Board meetings in a row.
- Maria announced and got approval to make contact with the first nine qualifying landowners on the 2017 Farmland Preservation applicant list. If every one of the property owners accepts, there should be enough County/State money for nine out of the fourteen on the list.
- Additional properties may be able to preserve under the County/Municipal Partnership Program.

## **Northampton County Farmland Preservation Board**

A letter was sent to the Northampton County Farmland Preservation Board requesting a change in the application period for the 2018 Northampton County Farmland Preservation program. Moving the application period to June or July would allow for the Northampton County Executive and Council to review funding needs prior to finalizing the next year preservation budget.

The Northampton County Farmland Preservation Board addressed this issue at their April meeting. The 2018 application time frame of November 1<sup>st</sup> to December 15<sup>th</sup> will remain the same.

## **PA DEP Growing Greener Plus Grant**

- Little Bushkill Creek – Update – Terry has a meeting scheduled for the May 15<sup>th</sup>.
- DEP is creating a new program and the department is working on a new data base. Due to this development the DEP is willing to fund some of the testing.
- The Stuber property is moving forward
- Achenbach hasn't returned phone calls. Terry will try to make contact again this week.
- Taylor is not currently moving forward.

**Plainfield Township Earned Income Tax Collection for Open Space Study** - The EAC and Tom Petrucci reviewed the contents of the study with the Board of Supervisors at the April 3, 2017 EAC meeting.

## **Northampton County Funding for Farmland Preservation**

Terry Kleintop questioned what action John Brown will take in order to fund farmland preservation for 2018. Will he be reelected and if so will he continue to fund the program.

Terry Kleintop noted that he was told at a Northampton County Farmland Preservation Board meeting that if all of the farms were able to be preserved this year and there was not enough funding, and then the County would put forward additional money to preserve the farms. The down side to that is the new County funding money would not have been put forward to the State for matching. It was also noted that any additional money would need Northampton County Council approval and a budget revision. Terry made a suggestion of calculating the average number of acres that have been preserved per year and utilizing the estimate for the next Northampton County Budget process.

### **Ordinance #342 Maintenance and Preservation of Riparian Buffers and Open Space and Ordinance #357 Tree Protection and Timber Harvest Management**

In 2016, Plainfield Township received a letter from the Attorney General regarding timber harvesting. Timber harvesting regulations were challenged in Court and from a legal stand point fall under the Agricultural Act. If timber harvesting is done in a wetland area then different regulations apply. Plainfield Township Ordinance #357 is not in compliance and needs to be revisited for updating.

Over the course of the last year concerns have come up regarding Ordinance #342 which regulates the maintenance and preservation of riparian buffers. Regulations along the recreation trail and in developments may need updating. Different classification of wetlands and assigning value to the land should be reviewed. If the Township did not have any riparian buffer regulations then some dictation does come down from the State level.

**Motion – Ordinance #342 Maintenance and Preservation of Riparian Buffers and Open Space and Ordinance #357 Tree Protection and Timber Harvest Management – Robin Dingle** made a motion to recommend to the Supervisors that the Township reevaluate Ordinance #342 and 357 by authorizing Tom Petrucci to work with David Backenstoe to review and make recommendations for the revision. Second Bob Simpson **Vote: 6 Yes**

The EAC would like the opportunity to review any recommended revisions made by Tom Petrucci and David Backenstoe and provide input prior to the revisions going through the final review process.

### **Official Map**

Recommendations were included in the Plainfield Township Earned Income Tax Collection for Open Space Study. This may need to be titled as greenway protection.

### **Ordinance #92-240-A Disposal and Storage of Sewage Sludge and Septage – Enacted August 12, 1992 – Old Ordinance**

- Bill HR 60 is in the State House of Representative.
- The State is currently conducting a study on the health impacts of spreading sludge. Mr. Durkin held a closed meeting on the application of sewage sludge at the Lower Mount Bethel Municipal Building. Results of the study will be reviewed by members of the State House of Representatives.

### **NEW BUSINESS**

### **PUBLIC COMMENT**

**MEETING ADJOURNMENT**

**Motion - Meeting Adjournment** – A motion was made by Bob Simpson and seconded by Bob Cornman to adjourn the meeting at 9: 15 pm. **Vote: 6 Yes**

Respectfully Submitted,

Jane Mellert, Secretary  
Plainfield Township EAC