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UPPER MOUNT BETHEL TOWNSHIP  
PLANNING COMMISSION MEETING MINUTES  
WEDNESDAY, JUNE 15, 2022 – 7:00 PM

**I.**

Chairman Teel called the meeting to order at 7:00 pm.

The Pledge of Allegiance was recited.

Present were Chairman Teel, Commissioner Klein, Commissioner Crane, Commissioner Sarisky, Township Solicitor Karasek and Township Engineer Coyle.

Commissioner Potter arrived at 7:15 pm.

Chairman Teel stated that RPL will be giving a presentation on GenOn, which will last about 45 minutes. Chairman Teel stated that no comments will be made until the presentation is done, and at that time, the Commissioners/Solicitor/Engineer will be given the opportunity to ask any questions/comment, then the floor will be open for public comment.

**PUBLIC COMMENT**

Charles Cole, Riverton Road, commented on EPA reports on environmental impacts, PFAS and PFOS.

**II.**

**APPROVE THE MINUTES-May 18, 2022**

**MOTION** by Commissioner Crane to approve the May 18, 2022, Meeting Minutes, seconded by Chairman Teel. Vote: 4-0.

**III.**

**PLANNING MODULE**

- a. Potomac St. Park-Scott Policelli, Township SEO, stated the planning module for Potomac St. Park is ready for approvals, so that the project can get started. **MOTION** by Commissioner Klein to recommend approval of the planning module, seconded by Commissioner Sarisky. Vote: 4-0.

#### IV. SUBDIVISIONS

- a. RPL East LLC Major Subdivision-Engineer Coyle stated there was not a resubmission, therefore he did not prepare a review letter. Attorney Marc Kaplan, representing RPL, stated it was his understanding that the only outstanding issue is the SALDO requirement that you have to have or show water and sewer. Engineer Coyle stated that there are multiple issues with the subdivision plan. Engineer Coyle recommends the plan to be tabled. There was a discussion on the confusion of the plan names, which needs to be cleaned up. Engineer Coyle stated that the zoning officer should provide comments. Solicitor Karasek will reach out to the zoning officer for her to provide zoning comments on the plan. Solicitor Karasek stated an extension of time until August 31, 2022, has been requested to further review the plan. **MOTION** by Chairman Teel to accept the extension of time and to also table this plan, seconded by Commissioner Klein. Vote: 5-0.  
-Official Action expires on July 18, 2022
- b. River Pointe Dr. River Rd. and Potomac St.- River Pointe Logistics Center **MOTION** by Commissioner Sarisky to table, seconded by Chairman Teel. Vote: 5-0.  
-Official Action expires on October 18, 2022
- c. Philip Poliskiewicz Minor Subdivision- Ryan Dentith, representing the applicant, stated the applicant is looking to buy out his portion of the farm. A waiver request is being made to waive testing, both primary and secondary on the residual parcel that no development is proposed. Engineer Coyle discussed his review letter of June 8, 2022. The project intent is to subdivide tax parcel C10 5 12 to create one new lot with existing dwelling and buildings and residual parcel to be vacant. There is no development proposed. Engineer Coyle recommends deferring septic testing. **MOTION** by Chairman Teel to recommend deferring septic testing, seconded by Commissioner Klein. Vote: 5-0. There was a discussion on Township easement for roadway purposes. Ryan asked for this be waived. Engineer Coyle supports that request. **MOTION** by Commissioner Crane to recommend the easement waiver, seconded by Commissioner Klein. Vote: 5-0. There was a discussion on SALDO Section 400.8, Fee in-Lieu, based upon each new lot created. Solicitor Karasek stated a Rec fee for one lot. **MOTION** by Commissioner Potter to recommend waiving the one lot fee in-lieu, seconded by Chairman Teel. Vote: 5-0. **MOTION** by Commissioner Potter to table, seconded by Chairman Teel. Vote: 5-0. Chairman Teel asked that the waiver requests be placed on the BOS agenda for the June 27<sup>th</sup> meeting.  
-Official Action expires on September 9, 2022

Engineer Coyle recommended hearing the GAI presentation prior to moving on to the RPL East LLC Planned Industrial Park plan.

Edward Sciulli, with GAI Consultants, Professional Geologist, working with RPL, gave a presentation on the former Portland Generating Station, environmental investigation, and remediation. There are regulated facilities on site, two industrial wastewater treatment ponds, six above ground storage tanks, asbestos containing material and existing potable water wells. Site investigations included Phase I ESA, no RECs (recognized environmental concerns) but potential issues including historical fill (coal ash, slag, and coal), but have been cleaned/addressed. Phase II ESA/Remedial investigation (soil and groundwater samples). Act 2 process-complete remedial investigations, submit Notice of Intent to Remediate for the site with municipality notifications and publication in local newspaper, prepare and submit to PADEP a combined remedial investigation/cleanup plan for review and approval. In conclusion:

- 1) regulated facilities will be addressed in accordance with regulations
- 2) Phase I ESA identified potential RECs associated with the site
- 3) Phase II ESA/Remedial investigation included advancing/installing eighty investigation points at the site
- 4) Soil impacts easily remediated through direct contact pathway elimination
- 5) No soil impacts in the northern portion of the site
- 6) Manganese and arsenic in groundwater above the Act 2 non-residential standard for used aquifers
- 7) TMS model will demonstrate impacted groundwater is not causing water quality standard exceedances
- 8) Site will be taken through the Act 2 process under a combination of the non-residential statewide health and site-specific remediation standards
- 9) Site development activities will progress concurrently with the Act 2 process as re-development will part of the site remedy

Chairman Teel opened it up for discussion. Commissioner Crane asked if Mr. Cole's public comment on the PFAS/PFOS are of a concern. Mr. Sciulli responded no; it should not be for a power plant. Chairman Teel asked about the stacks and what kind of contamination will be in them when they come down. Mr. Sciulli responded that testing was done, and some asbestos was associated with the stacks but will be abated as demolition occurs. Commissioner Klein asked if there were old paints in the structures. Mr. Sciulli responded that yes, investigations are being done with lead base paint, but is handled more as a construction issue/worker right to know, more of a health issue.

#### **IV.**

##### **LAND DEVELOPMENT**

- a. RPL East LLC-Planned Industrial Park-Engineer Coyle discussed his review letter of June 12, 2022. Third submission. One major concern was the prior Portland Industrial plant and the environmental concerns. Engineer Coyle discussed environmental conditions and stated he pleased to see the environmental effort that has been done to date. Remediation under Act 2

(Pennsylvania Land Recycling Program) is underway. Engineer Coyle stated that he recommends the applicant be required to submit a Site Plan to the Township following the cleanup of the Site/Act 2 clearance and applicable notes added to the Plan for recording and memorializing the deed restrictions, environmental covenants, DEP conditions, etc.

Chairman Teel asked for public comment/questions.

David Friedman, Gap View Lane, asked if they have been doing boring testings next to the buildings, they used an extensive use of fly ash. Mr. Sciulli stated yes, but it looks like it is confined to the south of the building.

Mark Mezger, Scenic Court, asked what government agencies are involved. Mr. Sciulli stated not for the environmental side. Mark asked what the process is when a client comes to them looking for Phase II cleanup. Mr. Sciulli stated that they recommend what needs to be done based on the property. Mark asked if the results are available through a Right-to-Know request. Mr. Sciulli stated yes, eventually, once they have been submitted to DEP.

Francis Visicaro, N. Delaware Drive, commented on her concerns regarding the possible presence of arsenic, protecting the people who will be building the buildings. Mr. Sciulli stated all the work is done under health and safety acts. Mr. Sciulli stated because they are using a risk base cleanup, meaning some contamination will be left on the property, owners of the buildings will be required to get Act 2 clearance, called an environmental covenant. Approximately every three years, owners will have to verify that any environmental issues are still there and being protected.

Anthony DeFranco, Crosshill Drive, asked Mr. Sciulli, since RPL paid for this study, would you stake your reputation by changing/fudging numbers. Mr. Sciulli stated no, I have a license, I am a professional Geologist, that would not happen.

Engineer Coyle continued with his review. Stormwater management/SALDO Section 501, has been addressed. SALDO items, applicant shall submit a letter of intent describing in detail, the intended uses of the property, multiple easements, wells and on-lot septic, and adequate fire protection/fire flow demand. Commissioner Potter stated that Chief Finan, Chief Black and himself, met and reviewed the plan and did provide some preliminary comments. Engineer Coyle does not feel this plan is ready for Preliminary Conditional Plan approval, they are close, but not quite there yet. Engineer Coyle stated to the applicant to submit the waivers in writing that are applicable, waivers have to be advertised, and sent to adjoining property owners 21 days in advance of the next PC meeting, easement to yellow lot needs to be shown, septic testing should be

completed, both primary and secondary on-lot, anticipated fire flow demand/domestic water demand. Engineer Coyle and Attorney Kaplan will get together to discuss what needs to get completed. **MOTION** by Commissioner Klein to table, seconded by Chairman Teel. Vote: 5-0.  
-Official Action expires on October 17, 2022

**VI.**

**ADJOURNMENT**

**MOTION** by Chairman Teel to adjourn the meeting at 9:30 pm, seconded by Commissioner Crane. Vote: 5-0.

Respectfully Submitted by Cindy Beck-Recording Secretary