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UPPER MOUNT BETHEL TOWNSHIP
PLANNING COMMISSION MEETING MINUTES
WEDNESDAY, MAY 17, 2023 – 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 Crane, Commissioner Sarisky, Commissioner Potter, Commissioner Klein, Recording Secretary Cindy Beck, Township Engineer Coyle, and Township Solicitor Karasek.

Public Comments

Richard Wilford-Hunt commented on the public having a copy of the map that Steve Walsh will be discussing.

Charles Cole commented on letters from Dynamic on the deferrals for RPL Lots 1, 2, and 6, wastewater disposal methods, water supply and the creation of a municipal authority.

Judy O'brien commented on the developer putting down a performance bond to build a water and sewer authority.

Mark Mezger, Scenic Court, commented on the Dynamic letter and the inability to describe the use, and the consumer risk of the establishment of an authority.

Tony Strutynskij commented on sewage facilities. Chairman Teel stated that there will be a public meeting on water and sewer.

Fred Clark commented on RPL's proposed plan for the water and sewage system. Fred's public comments will be part of the official record.

Eleanor Shelton commented on having a plan before approving the buildings, addressing financial considerations, infrastructure issues, sewer, and traffic.

Joe Tripoli commented on having sewage water on preserved land.

II.
APPROVE THE MINUTES-April 19, 2023

MOTION by Commissioner Potter to approve the April 19, 2023, meeting minutes, seconded by Commissioner Sarisky. Vote: 4-0-1. Commissioner Klein abstained.

III.
SUBDIVISIONS

- a. River Pointe Dr., River Rd., and Potomac St-River Pointe Logistics Center- Solicitor Karasek stated since a revised plan was resubmitted on April 19, the official time to act on the plan expires on July 18th. Steve Walsh, Dynamic Engineering, stated it was revised to comply with Engineer Coyle's letter. Steve displayed a map for all to review. Steve stated the resubmission included the subdivision, which creates the lots established for the RPL park. There is a master conceptual design plan, which is grading, utility, drainage, design for all the building on a conceptual level. There are detailed roadways, water system, sanitary system, drainage system and detailed calculations for all the stormwater. The majority of the action remaining are outside agency approvals, PA Fish/Boat, Fish/Wildlife. Engineer Coyle summarized, total of 13 buildings, which includes lot 10. The subdivision was broken into two phases. Phase one, proposed buildings on lots 1,2, and 6. Phase 2, proposed remaining buildings. Engineer Coyle requested the following to be read into the minutes regarding the commitment from the developer for traffic improvements: "The applicant will reply to PennDOT's current request for additional information about the off-site improvement listed in the applicant's traffic study and two supplements. When the traffic study is completed and approved the applicant will submit Highway Occupancy permit plans to PennDOT the will depict the off-site improvements that can be constructed or installed in the PennDOT rights-of-way, or other rights-of-way acquired to permit such improvements in accordance with a schedule approved by PennDOT and the Township that will be tied to the various phases of the development in excess of the 1,900,000 square feet of space in the applicant's planned industrial parks. If the size of the buildings in the applicant's planned industrial parks deviate from the overall master plan that the traffic study was based upon the applicant shall update the traffic impact study and submit the updates with Land Development applications for the buildings that deviate from the depiction on the overall master plan on which the traffic study is based. Engineer Coyle stated "based upon the above written confirmation, it is recommended an agreement be drafted/reviewed by the Township Solicitor between the applicant and Township that memorializes the off-site traffic improvements to be constructed/installed including the schedule and timing of said improvements. Township shall be included in all future correspondence with PennDOT including Highway Occupancy Permit

plans. Engineer Coyle recommends a standalone agreement be drafted by Solicitor Karasek in conjunction with the developer's attorney to memorialize the traffic improvements to be done at some point in the future. Engineer Coyle stated that there is zoning special exception hearing scheduled for June 27th on the proposed drip irrigation within the R-1 zoning district, but this is a zoning determination, he does not want to get into that. Commissioner Klein asked about the sludge from the waste treatment plan. Engineer Coyle responded that it is being disposed of off-site. Steve Walsh stated that will be detailed in the planning module and then the construction plan for the wastewater treatment plant. There was a discussion on how many trucks/gallons a week of sludge will be trucked out. Engineer Coyle stated that it is recommended that the Planning Commission review, comment, and approve the proposed water and sewer agreement. Engineer Coyle discussed waiver requests, street lighting, fire hydrants, deferral of the intended use of the property, deferral of a site plan for each individual lot. Steve Walsh discussed waivers, sheet plan size, scale size, location map. **MOTION** by Chairman Teel to accept the waivers on scale, seconded by Commissioner Crane. Vote: 5-0. Solicitor Karasek commented on the intended use deferral, the effect on stormwater, sewage flows, water usage, traffic issues, and in his opinion, not to allow deferrals for things we have no idea for what is going in. Attorney McLain stated that any potential tenant/purchaser needs a date, or they won't commit. Solicitor Karasek stated that if the intended use is deferred, the conditions that any type of use that comes in that is greater than the traffic that's been proposed, water that has been proposed, sewer that has been proposed, stormwater that has been proposed and any other infrastructure items, it is not permitted. **MOTION** by Chairman Teel to approve the deferral of intended use, seconded by Commissioner Potter. Vote: 5-0. Fred Ebert, Ebert Engineering, discussed the flows. There was a discussion on scheduling a special meeting to discuss the water and sewer. Engineer Coyle requested that a preliminary storm design and water system design be submitted as required by the ordinance. Chairman Teel stated that the Special Meeting will be held June 15th. Steve Walsh discussed the following waiver requests. **MOTION** by Chairman Teel to table 600.4.6.1, centralized public sewage disposal system, and 600.4.7.1, centralized public water system, seconded by Commissioner Klein. Vote: 5-0. **MOTION** by Chairman Teel to recommend approval of 501.3.16.7, to allow turf reinforcement matting to be utilized in lieu of the required mortared riprap, seconded by Commissioner Klein. Vote: 5-0. **MOTION** by Chairman Teel to recommend approval of 501.3.15, stormwater capture and reuse via spray irrigation is designed in accordance with PADEP guidelines reviewed/approved as part of the requisite NPDES permit, seconded by Commissioner Klein. Vote: 5-0. **MOTION** by Commissioner Crane to table the plan, seconded by Commissioner Klein. Vote: 5-0.

-Official Action expires on July 18, 2023.

- b. Page Residential Lot/151 Belvidere Corner Rd-Lot Line Adjustment- Engineer Coyle stated this is a minor lot line adjustment plan with no proposed

development. LVPC letter was received and stated the plan is not a matter of regional concern. Engineer Coyle recommends conditional approval. Solicitor Karasek went through the conditional approval form with Engineer Coyle, stating that compliance with all conditions of Engineer Coyle's review letter of February 13, 2023. Conditions- lot is not approved as a building lot, monuments, pins, and markers are to be certified and set in the field, plan to be signed and notarized. **MOTION** by Chairman Teel to recommend Conditional Final Plan Approval of the Page Residential Lot/151 Belvidere Corner Rd. lot line adjustment, seconded by Commissioner Klein. Vote: 5-0.

-Official Action expires on June 1, 2023.

- c. Shepherd's Hill Lot Line Adjustment-Scott Policelli, representing the applicant, stated this plan is taking a little away from two lots and adding to another. LVPC letter stated this is a minor proposal and is not a matter of regional concern. Engineer Coyle discussed his review letter of May 15, 2023 and recommends approval of said lot line adjustment plan for lot 40 and 82 Shepherds Hill Dr. Solicitor Karasek went through the conditional approval form with Engineer Coyle, stating that compliance with all conditions of Engineer Coyle's review letter of May 15, 2023, conditions that the monuments, pins and markers are to be certified and set in the field, and the plan be signed and notarized. **MOTION** by Commissioner Crane to recommend Conditional Final Plan Approval of the Shepherd's Hill Lot Line Adjustment, seconded by Commissioner Sarisky. Vote: 5-0. Solicitor Karasek stated that both the Page Lot Line Adjustment and Shepherd's Hill Lot Line Adjustment will be on the Board of Supervisors meeting for approval.

-Official Action expires on July 18, 2023.

IV.

LAND DEVELOPMENT

- a. River Pointe Logistics Center Lot 1 Preliminary Plan-Steve Walsh stated that in terms of the waiver, modification, and deferral, they are all the same for Lot 1, Lot 2, and Lot 6. Engineer Coyle stated, regarding the plan scale and drawings, he does not have an issue with that. The deferral of intended use, based upon the fact that the intended use cannot run afoul or be in violation of any of the underlying water, sewer, road, stormwater and other infrastructure requirements. **MOTION** by Commissioner Sarisky to recommend approval of the waivers, modification and deferral on Lots 1, 2, and 6, seconded by Commissioner Potter. Vote: 5-0. Engineer Coyle stated that his review letter of November 15, 2022, the plans were reviewed as preliminary final and in light of the outstanding remaining issues in the subdivision plan, he does not recommend taking action on the plan. Engineer Coyle discussed his review letter of November 15, 2022. One thing Engineer Coyle wanted to bring up for discussion is installing a walkway outside the proposed driveway that gets you down to the sidewalk along River Pointe Dr. **MOTION** by Commissioner Potter to table, seconded by Commissioner Crane. Vote: 5-0.

- Official Action expires July 31, 2023
- b. River Pointe Logistics Center Lot 2 Preliminary Plan-**MOTION** by Commissioner Potter to table, seconded by Commissioner Crane. Vote: 5-0.
-Official Action expires July 31, 2023
- c. River Pointe Logistics Center Lot 6 Preliminary Plan-**MOTION** by Commissioner Potter to table, seconded by Commissioner Crane. Vote: 5-0.
-Official Action expires July 31, 2023
- d. River Pointe Logistics Center Lot 4 Preliminary Plan-**MOTION** by Commissioner Crane to table, seconded by Commissioner Sarisky. Vote: 5-0.
-Re-Submitted April 19, 2023
-Official Action expires on July 18, 2023
- e. River Pointe Logistics Center Lot 5 Preliminary Plan-**MOTION** by Commissioner Crane to table, seconded by Commissioner Sarisky. Vote: 5-0.
-Re-Submitted on April 19, 2023
-Official Action expires on July 18, 2023

V.

SITE/SKETCH PLAN-None

VI.

ADJOURNMENT

MOTION by Chairman Teel to adjourn the meeting at 9:37pm, seconded by Commissioner Sarisky. Vote: 5-0.

Respectfully Submitted by Cindy Beck-Recording Secretary

May 17, 2023

Good evening, Fred Clark, 19 Crystal Terrace, Mount Bethel. Thank you for working to ensure the town has a reasonable overall plan and giving me the opportunity to speak.

I understand the Planning Board has the responsibility to develop a plan that includes an Act 537 solution and that the shared sewage treatment needs of River Pointe and Upper Mount Bethel may offer an opportunity to do that. I support development of the River Pointe property in a manner that benefits Mount Bethel and the surrounding region, but do not believe that good neighbors dump their waste into their neighbor's back-yard. This is especially true if there is even a remote possibility they could poison their neighbor's wells. A developer plan that allows for up to 250-300,000 gallons of unspecified industrial waste a day to be dumped next to a residentially zoned neighborhood does not seem to fit within the boundaries of a reasonable town plan.

The developer has proposed a plan for a water and sewage system that may be acceptable in most respects, but the only way the wells of the residents next to the drip irrigation field will be protected is if the construction, operation, and maintenance of the facility are flawless in perpetuity. Having worked at a nuclear power plant where a "once in the history of the industry" event occurred, I know that the safeguards in the best designed, built, maintained, and operated facilities of the most highly regulated industries can fail. Ask anyone living in East Palestine Ohio what such a failure can cost a community.

The River Pointe project was pushed thru for its' tax and other benefits and it was pointed out what a small part of Upper Mount Bethel it was. With the purchase of the Angle property and the proposal of a municipal water and sewer authority, the RPL project has started to leach out of its industrial boundaries into our neighborhoods. With the power of the NID and a municipal authority, the project as proposed has the potential to negatively impact the value of every property in the town in a way that could far outweigh the benefits promised a decade from now. If there is a comprehensive financial risk assessment for the proposed municipal authority, it should be shared with the town residents that will bear those risks.

The project should remain in the industrial footprint it was approved to be in. Please do not approve a plan that provides for a drip irrigation field on the R1 zoned former Angle property. Perhaps room for drip irrigation could be made on the 800-acre industrial property by scaling down a building or two, changing it to a closed loop system, or putting it on a property away from residential neighborhoods.