

BETHLEHEM LANDFILL COMPANY (BLC)
PHASE V EXPANSION
CONDITIONAL USE APPLICATION

ATTACHMENT 3 – PROJECT NARRATIVE

BLC is seeking to continue landfill operations at the Bethlehem Landfill (Pennsylvania Solid Waste Permit No. 100020) by adding disposal capacity through both lateral and overlay expansions of the existing facility. The proposed expansion will have an estimated life of 20-30 years at the currently permitted waste acceptance limits. This project is referenced herein as the Phase V Expansion. The land upon which the Phase V Expansion is located is zoned LI, a district in which landfills are permitted as a Conditional Use. Therefore, BLC seeks Conditional Use Approval of the Phase V Expansion from Lower Saucon Township Council. Future additional approvals that will be required for the Phase V Expansion include Land Development Approval from Lower Saucon Township Council and a Major Modification to the landfill's PADEP Solid Waste Permit from PADEP. As such, per Section 180-109(F)(1) of the Lower Saucon Township Zoning Ordinance ("Zoning Ordinance"), the Phase V Expansion is not subject to the Zoning Ordinance's site plan approval process and requirements.

The Phase V Expansion proposes 117.4 acres of lateral expansion (new disposal footprint/newly lined area) and 26.74 acres atop previously permitted lined disposal area. The total Phase V development area, which includes the proposed disposal area as well as associated new or alternative landfill support activities and structures, is 189.0 acres, all to be located within what will ultimately be a consolidated 503.4595 acre parcel (said consolidation to be sought as part of the future land development approval process). Refer to attached Exhibit A – Conditional Use Application Plans, which depicts and describes the Phase V Expansion proposed as well as the contact person for the development and operation phases of the facility listed as the Owner/Applicant being Bethlehem Landfill Company, Mr. David Pannucci. The Plans provided in Exhibit A also generally identify the ultimate use and ground cover within the to be consolidated landfill lot. The ultimate ground cover will be fully detailed within a Closure Plan required as part of a PADEP Solid Waste Application.

The Phase V Expansion proposes additional capacity, as well as new disposal area and related activities, beyond the current PADEP Solid Waste Permit Boundary for Bethlehem Landfill. As such, a Major Modification to the landfill's PADEP Solid Waste Permit will be required prior to development of the Phase V Expansion. A proposed new PADEP Solid Waste Permit Boundary is delineated on Exhibit A. That proposed permit boundary is subject to approval by PADEP and may be modified as part of that PADEP review process. However, the permit boundary as currently shown represents the maximum additional permit area sought by BLC as part of the Phase V Expansion. No Solid Waste Permit Applications have been filed with PADEP since zoning approval sought with this application is required to make a complete application with PADEP.

A proposed expanded disposal footprint (within the proposed PADEP Solid Waste Permit Boundary) is also delineated on Exhibit A. Like the PADEP Solid Waste Permit Boundary, that proposed disposal footprint is subject to modification resulting from further Geologic

Investigations and PADEP's review of the Major Permit Modification. However, that proposed disposal area represents the maximum disposal footprint being sought by BLC.

The Phase V Expansion includes alternative locations for certain existing facilities (internal access drives, the truck wash facility, and the scales and scale house), to provide for the potential relocation of these existing facilities.

The landfill's existing operations will not change with the Phase V Expansion. The type and amount of waste it is permitted to receive will remain the same. The landfill's current permitted average daily volume (ADV) is 1,375 tons/day and its current permitted maximum daily volume (MDV) is 1,800 tons/day. The landfill is open to receive waste between 7 AM and 4 PM Monday through Saturday with operating hours being 6 AM to 6 PM. The landfill has operated pursuant to these same ADV/MDV permit limits and days/hours of operation for nearly two decades. The ADV/MDV and days/hours of operation will not change with the Phase V Expansion. By maintaining these existing conditions, the vehicle trips to and from the site related to the Phase V Expansion will be substantially similar to those generated by current operations. Furthermore, the existing PADEP-approved designated haul route that trucks must use to get to the site, as well as access to the site from Applebutter Road, will remain the same.

Further, by maintaining existing operations, the procedures for emergencies, hazards and accidents shall be in accordance with the currently approved Preparedness, Prevention and Contingency Plan for the facility. A copy of said Plan is attached hereto as Exhibit B. This Plan shall be updated upon full completion of the Phase V Expansion design and will be made part of the Land Development Plans and DEP Solid Waste Application.

BLC is proposing to develop the Phase V Expansion in accordance with Section 180-109(G) of the Lower Saucon Township Zoning Ordinance (Natural Resource Mitigation Alternative) and has provided the information and calculations required by that Section on Sheet 7 of the Exhibit A. BLC requests, as part of this Conditional Use Application, that Lower Saucon Township Council provide written approval for BLC to exceed the net buildable site area permitted by Section 180-95(C)(2)(c) ("Permitted Net Buildable Site Area"), utilizing a greater area of natural resource protection land than would otherwise be permitted by the Resource Protection Standards contained in Section 180-95 ("Excess Resource Utilization"), as is proposed on Sheets 7 of Exhibit A. Per Section 180-109(G)(8) of the Zoning Ordinance, BLC will demonstrate and make the required dedication and/or fee-in-lieu of dedication payment prior to final land development approval.

The Phase V Expansion Excess Resources Utilization includes impacts to waterways and wetlands. These impacts will be mitigated through the filing of a Joint Permit Application with PADEP and USACE. This filing will be made after the requested Conditional Use approval has been obtained.

The Phase V Expansion as proposed (as demonstrated in this Application package and as will be presented at the Conditional Use Hearing) meets the general requirements and standards applicable to Conditional Uses set forth in Section 180-12.1(C) of the Zoning Ordinance.

- The project is in accordance with the Lower Saucon-Hellertown Joint Comprehensive Plan ("Joint Plan") and is consistent with the spirit, purposes, and the intent of the Zoning

Ordinance. The Joint Plan, which was updated in 2022, did not change any recommendations for the area surrounding the existing landfill upon which the Phase V Expansion is proposed. The Joint Plan designates the current landfill and almost all lands proposed for the landfill expansion to the east and northeast as “Industrial.” The Industrial category in the Joint Plan includes certain lands up to Riverside Drive and property to the east which, prior the recent rezoning to LI, were zoned RA but for decades housed a pre-existing legal non-conforming industrial use. The Industrial category in the Joint Plan is intended to provide for “generally larger-scale local and/or industrially-oriented industrial, industrial-office and/or services uses.” The land along the Bull Run Creek is designated by the Joint Plan as “Open Space” because it is part of the Bull Run National Heritage Area. As depicted on Exhibit A, the Phase V Expansion will be set back significantly to the south from Bull Run Creek and therefore is in accordance with the Joint Plan in that respect. Furthermore, BLC has proposed to dedicate to the Township significant acreage in the vicinity of the Phase V Expansion and the existing landfill which will limit future expansion of the landfill to the west and northwest, conserve natural resources, and connect to existing Conservations Easements held by the Township

- In providing for a logical expansion of a long-standing highly-regulated business to continue to operate in a safe and environmentally compliant manner in the Township, which will provide substantial financial benefits to the Township as well as an important service to the surrounding community and region, the project is in the best interests of the municipality, the convenience of the community, and the public welfare, and will be a substantial improvement to the property in the immediate vicinity.
- The project is suitable for the property in question, and designed, constructed, operated, and maintained so as to be in harmony with and appropriate in appearance to the existing or intended character of the general vicinity. The project is an expansion of an existing use which is subject to comprehensive regulations that utilize state-of-the-art operational methods to ensure that good stewardship and harmony with adjacent properties and the surrounding community is achieved.
- The project is in conformance with all applicable requirements of the Zoning Ordinance and all municipal ordinances.
- The Phase V Expansion is suitable in terms of effects on highway traffic and safety, with adequate access arrangements to protect streets from undue congestion and hazard.
- The project is in accordance with sound standards of subdivision and land development practice where applicable.

BLC will provide testimony on all of these points at the Conditional Use Hearing.

The Phase V Expansion as proposed (as demonstrated in this Application package and as will be presented at the Conditional Use Hearing) also meets the specific requirements and standards applicable to Conditional Uses set forth in Section 180-12.1(D) of the Zoning Ordinance.

- The proposal provides for adequate access to public roads without creating hazardous conditions. There are no changes proposed as part of the Phase V Expansion that will change or impair existing access, which has safely served the site for decades. There are no changes to permitted ADV/MDV, days/hours of operation, or truck routes.
- The Phase V Expansion will not adversely alter the character of stable neighborhoods, and the project as proposed is protective of adjoining residents given the nature of the surrounding area, and the setbacks, buffers, landscaping, and conservation easements that are proposed. The project is an expansion of an existing use that is subject to comprehensive regulations that utilize state-of-the-art operational methods to ensure that good stewardship and harmony between adjoining properties and the surrounding community is achieved.

BLC will provide testimony on these points at the Conditional Use Hearing.

Finally, in conjunction with Conditional Use Approval, BLC is seeking relief that Council is empowered to grant relating to a perimeter earthen berm. Section 109(F)(3)(a) of the Lower Saucon Township Zoning Ordinance requires a perimeter earthen berm along property lines where new disposal area is proposed. The earthen berm is unnecessary and would affect an unreasonable and excessive burden and expense on BLC and deprive BLC of the reasonable use and value of the property. As part of this Conditional Use Application, BLC requests that Lower Saucon Township Council make a determination, pursuant to Section 180109.F(3)(a)[4], that existing features serve as an acceptable substitute for this berm requirement. Council has made this determination with past expansions of the landfill, including the Northern Realignment, the Southeastern Realignment, and the Phase IV Expansion.