



HanoverEngineering

252 Brodhead Road • Suite 100 • Bethlehem, PA 18017-8944
Phone: 610.691.5644 • Fax: 610.691.6968 • HanoverEng.com

January 24, 2023

Mr. Mark Hudson, Manager
Lower Saucon Township
3700 Old Philadelphia Pike
Bethlehem, PA 18015-5426

RE: Bethlehem Landfill Company – Phase V
Expansion
Conditional Use Application
2335 Applebutter Road
LST Project #CU 01-23
Hanover Project LS23-18

Dear Mr. Hudson:

We have reviewed the first submission of the following above-referenced Application and supporting Plans and documentation, prepared by Martin and Martin, Incorporated:

1. Martin and Martin, Incorporated cover letter, dated January 6, 2023.
2. Bethlehem Landfill Company Phase V Expansion Conditional Use Application, dated January 2023.
3. Bethlehem Landfill Phase V Expansion Conditional Use Application Plan Bethlehem Landfill Company “Exhibit A”, Sheets 1 through 12 of 12, dated January 6, 2023.

Bethlehem Landfill Company proposes to expand (Phase V Expansion) the existing landfill operations by adding disposal capacity through both lateral and overlay expansions of the existing facility. 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 and associated new or alternative landfill support activities and structures, is 189.0 acres, all to be located within what will ultimately be a consolidated 505.16-acre parcel. The type and amount of waste the landfill is permitted to receive will remain the same. The landfill is served with both public water and sanitary sewer services.

The Phase V Expansion will also require approvals from Lower Saucon Township Council for the proposed lot consolidation and land development and from PADEP for a Major Modification to the landfill’s PADEP Solid Waste Permit.

This review is limited to the conditional use requirements contained in the Lower Saucon Township Zoning Ordinance, including Ordinance No. 2022-02

We offer the following comments on this proposed Conditional Use Application:

EXHIBIT

BLC 14

exhibitsticker.com

A. ZONING ORDINANCE – CHAPTER 180

1. Sections 180-12.1.C and D – The governing body shall grant a conditional use only if it finds adequate evidence that any proposed development submitted will meet all the general requirements of Section 180-12.1.C, as well as any specific requirements and standards in Section 180-12.1.D for the proposed use. The Project Narrative in the Conditional Use Application states the Phase V Expansion as proposed meets the requirements and standards of Sections 180-12.1.C and D, and the Applicant will provide testimony on all these points at the Conditional Use Hearing.
2. Section 180-16 – The following comments regarding the zoning district boundaries shall be satisfactorily addressed
 - a. The LI and RA zoning district boundaries at the southeast corner of the site and around the Pichel property along Applebutter Road shown on the Plans shall be checked and revised accordingly, as the zoning district boundaries shown are not consistent with the Zoning Map amendments of Ordinance No. 2022-02.
 - b. The LI/RA zoning district boundary along the Bull Run shall be clearly labeled/identified in the plan view on the Conditional Use Development Plan, Sheet 10 of 12.
3. Section 180-23 – The building setback lines within the RA zoned portion of the site (northerly portion) shall be identified on the Plans.
4. Section 180-79.1.B – Landfills and Waste Disposal Facilities may be permitted when authorized as a conditional use by the Township Council.
5. Section 180-83.B – Special side or rear yards shall be required for any LI zoned property abutting any residentially zoned land. These yards shall be a minimum of 75 feet. This yard shall contain a planting screen, as specified in Section 180-97.A and B. These special side and rear yards shall be shown in the plan views.
6. Section 180-92.A – Where a street has a required right-of-way greater than that existing, the required front yard of a lot shall be measured from the required right-of-way line. The required right-of-way line and front yard setback along Riverside Drive shall be clearly identified on the Plans.
7. Section 180-93 – Under the Maximum Height of the Site Data on Sheet 10 of 12, it states “No Building Proposed;” however, the plan view specifies alternate scale house and truck wash locations. Clarification is requested.
8. Sections 180-94 and 180-109.C.(1) – The Applicant shall indicate whether additional water and/or sanitary sewer service is required for the proposed expansion. If applicable, the Applicant shall identify the additional flows needed and document adequate service can be provided from the applicable utilities.

9. Sections 180-95.B.(5) and (6) – The following comments regarding the existing wetlands and streams shall be satisfactorily addressed
 - a. The area of Wetland J listed in the plan view on Sheet 7 of 12 shall be checked and revised accordingly, as we measure a smaller area.
 - b. As noted in Riparian Corridor Buffer, Wetlands Floodplain Note 2 on the Cover Sheet, the USACE shall review and confirm the wetland delineation of Wetlands D through J. Additionally, the Applicant shall meet any DEP requirements regarding the proposed stream and wetland impacts.
10. Section 185-19.B.(17)(b)[3] – The northern portion of the site is located within the Carbonate Geology Area of the Township, and the Applicant shall meet the requirements of this Section. We note the Plan identifies the approximate limits of carbonate geology and states the limits are to be confirmed by a site specific study and analysis.
11. Section 180-95.C.(2)(b) – The Woodlands and Steep Slopes >25% Required Reservation percentages listed in the Resource Protection calculation on Sheet 7 of 12 shall be revised to 80% and 85%, respectively, and the Required Resource Protection Area calculation shall be revised accordingly.
12. Section 180-96.D – We note the noise level measurements listed in Table #1 on Sheet 12 of 12 were taken in January 2001.
13. Section 180-98.A.(2) – A traffic impact study shall be required for all uses which will generate 250 trips per day or more. (Ingress is one trip and egress is one trip). The Applicant states the landfill average daily volume (ADV), maximum daily volume (MDV) and days/hours of operation will not change with the Phase V Expansion, and the vehicle trips to and from the site related to the Phase V Expansion will be substantially similar to those generated by current operations.
14. Section 180-98.B – The Applicant shall submit the proposed Phase V Expansion Plans to PennDOT to determine whether the existing PennDOT Highway Occupancy Permit (HOP) for the existing site driveway to Applebutter Road is sufficient for the proposed expansion.
15. Section 180-98.C.(1) – A required and existing/proposed off-street parking tabulation for the existing and proposed uses shall be provided on the Plans. A note on Sheet 10 of 12 states no proposed parking areas or modifications to existing parking areas are proposed.
16. Sections 180-109.B and 180-109.F.(2)(a) – The following information shall be included in the project narrative.
 - a. The contact person for the development and operation phases of the facility shall be identified.
 - b. Procedures for emergencies, hazards and accidents shall be provided.
 - c. The estimated length of economic life of the facility shall be identified.
 - d. A status of the permitting process with other agencies, state and federal, shall be provided.

- e. The ultimate use and ownership of the site after completion of disposal shall be provided.
 - f. The restoration ground cover shall be identified.
17. Section 180-109.D.(3) – Site Data notes state no building are proposed; however, alternate scale house and truck wash locations are shown on the Plans. Clarification is requested.
18. Section 180-109.D.(4) – The Site Data lists a proposed impervious area of 6.75 acres. Due to the small scale of the Plan and lack of detail of proposed improvements, we could not verify the proposed and total impervious area.
19. Sections 180-109.F.(3)(a) and 180-109.C.(2) – An earthen berm shall be placed no closer than 50 feet to all adjacent uses around the perimeter of a landfill or waste disposal facility and buffer yards and screening shall be provided. The Applicant requests that Township Council determine that the existing features serve as an acceptable substitute for the required berms, screening, and buffers. Supplemental plantings may be required as a condition of the Conditional Use approval.
20. Section 180-109.F.(3)(a) – No landfill or waste disposal facility activities shall be conducted less than 100 feet from a property boundary line. This required setback shall be clearly identified on the Plans.
21. Section 180-109.F.(3)(a) – No landfill or waste disposal facility activities shall be conducted within 100 feet of the bank of any stream. Two (2) existing streams are located within the Phase V Expansion limit of disposal. Please note easements are proposed for these streams on Sheet 2.
22. Section 180-109.G – The following comments regarding the proposed Natural Resource Mitigation Alternative shall be satisfactorily addressed:
- a. The Applicant requests that Lower Saucon Township provide written approval for Bethlehem Landfill Company 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 be otherwise permitted by the Resource Protection Standards contained in Section 180-95 (“Excess Resource Utilization”).
 - b. We note the Proposed Buildable Site Area listed on the Plans is the total proposed limit of disposal and does not include the existing and proposed landfill improvements located outside the limit of disposal. The Proposed Buildable Site Area shall be further discussed and clarified with the Township as the Applicant finalizes the landfill expansion design and during the land development plan review process.
 - c. The Applicant shall dedicate to the Township for preservation an amount of land equal to the Excess Resource Utilization. In the event that the Applicant demonstrates to the satisfaction of the Township Council, that it was unable to obtain any or enough property for dedication pursuant to this Section, the Applicant may meet the requirements of this Section by submitting a fee-in-lieu of dedication in accordance with the calculations in the Lower Saucon

Township Subdivision and Land Development Ordinance, Section 145-51.E.
The Applicant shall demonstrate and make the required dedication and/or
fee-in-lieu of dedication payment prior to final land development approved by
the Township Council.

B. GENERAL COMMENTS

1. As referenced in Notes 1 and 2 on Sheet 2 of 12, the site contains an existing “Woodlands Protection Easement” and “Scenic and Conservation Easements” which prohibit landfill activities. The Applicant is requesting Lower Saucon Township to release/terminate these easements.
2. The following items pertaining to the development and operation of the site shall be identified during the land development plan review process:
 - a. The final grading by contours, in two-foot intervals, shall be specified on the Plans.
 - b. The methods of disposing of drainage and excess water accumulated during the course of operation shall be specified on the Plans.
 - c. All proposed landscaping, buffering, embankment height, methods of drainage and erosion control shall be specified on the Plans.
 - d. A copy of all Department of Environmental Protection and other applicable agencies’ permit information, including but not limited to applications, review comments, terms, and conditions of permits, shall be provided.
 - e. All proposals for groundwater monitoring, testing and environmental protection shall be specified.

If you have any questions concerning this review, please contact the undersigned.

Respectfully,

HANOVER ENGINEERING



FOR

Brien R. Kocher, PE
Township Engineer

brk:kjc

S:\Projects\Municipal\LSauconTwp\LS23-18-BethlehemLandfillConditional\LST#CU01-23)\Docs\01-24-23-BethlehemLandfillConditionalUseReviewLtr.doc

- cc: Mr. James Young, Zoning Officer (via email)
Ms. Molly Bender, Zoning Clerk (via email)
Ms. Rachelle Markovic, Receptionist (via email)
B. Lincoln Treadwell Jr., Esquire (via email)
Mr. David Panucci, Bethlehem Landfill Company (via email)
Mr. and Mrs. Dennis M. Hahn
Mr. Joseph M. McDowell, PE, Martin and Martin, Inc. (via email)
Maryanne Garber, Esquire, Land, Air, Water Legal Solutions, Inc. (via email)