



May 9, 2023

Fran DePiano, Chairperson
George Ewald, Vice-Chairperson
Steve Malaico, Supervisor
c/o Tina Kernan, Township Manager, Secretary, Treasurer
Tunkhannock Township Board of Supervisors
PO Box 203
1557 Long Pond Road
Long Pond, PA 18334
Provided electronically to: tunksec@longpondpa.com

**Re: Public Comment on Resolution 2023-329 - Route 115 Associates, LLC Proposed
Warehouse Sewage Planning Module- Premises located on Route 115 south of the SR 903 and
Route 115 Intersection; Tax ID number 20.11.1.36**

Dear Tunkhannock Township Board of Supervisors,

Due to irreparable harm that could be caused to Exceptional Value watersheds, Delaware Riverkeeper Network had attended virtual hearings at the March 23, 2022 conditional use hearing regarding Ashwal Properties LLC warehouse proposal (115 Associates) that has proposed to build a 949,460 sq. foot speculator warehouse within the Tunkhannock Creek watershed, an Exceptional Value (EV) stream. Subsequently Delaware Riverkeeper Network filed written comments to the Board of Supervisors dated April 6, 2022 with concerns regarding this speculator warehouse and urging the supervisors to deny the application for various significant harms it would bring to the community (April 6, 2022 written comments attached). We learned this week that the community is facing yet another deadline that could push this speculator warehouse forward despite harming anti-degradation waters and against the will of those who live in your jurisdiction and who have worked hard with stewardship and intention over the years to ensure clean water quality and clean streams and forests.

Delaware Riverkeeper Network urges the Board and PA DEP to deny this application as submitted or at minimum please do not allow the public to be short shrifted with last minute approvals at your upcoming May 10 BOS meeting and open these files and information into the full light of public scrutiny that is required. Instead use your authority to protect the legacy of stewardship that your citizens and local watershed group, the Tobyhanna Creek Tunkhannock Creek Watershed Association have worked towards for decades. Work

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with them not against them and align with the community you are obligated to represent in your elected role under Article 1 Section 27 of the Environmental Rights Amendment.

It appears many of the issues outlined and of concern in 2022 are still outstanding and woefully inaccurate, incomplete, and disturbing and we urge the supervisors (and the DEP subsequently) not to green light the warehouse project at your May 10, 2023 meeting. We submit this comment officially into the record for consideration and we urge more time for the public to review the details.

DRN has yet to review all the materials but in short please consider these points and urge the public process to allow more feedback and scrutiny by the community at this time if a denial is not outright given. The following issues we cite now for consideration:

- The proposed sewage planning on cursory review appears to be cherry picking data from another warehouse to attempt to attain a smaller peak gallon per day permit for purely financial reasons, that will not protect existing water quality which is required under anti-degradation standards;
- DRN has not had thorough technical review at this time but at a minimum it would appear that 115 Associates should be required at minimum, to adhere to the 35 gallon per employee per day standard set by DEP and not something short of that – again especially as this warehouse is cited for an anti-degradation watershed;
- The site of the proposed Septic mound is particularly problematic. The proposed septic field is situated inappropriately directly adjacent to two large parking lots, and the proposed septic field will be in part, held up by retention walls. What is the geology of the site? There will be extensive blasting around its perimeter just to prep the warehouse pad. Furthermore, when in operation, the proposed septic mound appears to require sewage to be pumped up hill against gravity. The site seems totally inappropriate from a water quality and water infiltration standpoint because of the issues with the site which we believe makes it inappropriate for a warehouse.

For all the reasons cited above, Delaware Riverkeeper Network is writing to urge the Supervisors to require this same consistent level of gallons per day for employee as this developer's previously approved project for this new much larger warehouse to protect the health, safety and welfare of the community, and to protect the water quality of the receiving waters.

Delaware Riverkeeper Network (DRN) is a watershed wide advocacy organization that works throughout the Delaware River Basin which includes parts of Pennsylvania, New Jersey, New York and Delaware. Thank you for the consideration of these comments. Please reach out to my Director of Monitoring, Faith Zerbe at faith@delawareriverkeeper.org or 215-369-1188 ext. 110 if we can be of further assistance.

Sincerely,



Maya K. van Rossum
the Delaware Riverkeeper

Delaware Riverkeeper Network

Cc: Geoff Rogalsky, Tobyhanna Creek/Tunkhannock Creek Watershed Assoc.
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