

Milford Township

From: Christina Markgraf [christina@magnottalaw.com]
Sent: Tuesday, February 07, 2023 2:25 PM
To: Mitchell Jacobs
Cc: chrogers@pa.gov; mlong@pikepa.org; Milford Township; 'Shawn Bolles'; Contact
Subject: K & N Holdings, LLC - Milford Township, Pike County, Pennsylvania

Dear Mitch:

I am writing to you in my capacity as Solicitor for Milford Township, Pike County, Pennsylvania. At our February 6, 2023, Supervisors Meeting, the Planning Commissioners advised the Board of Supervisors of the concerns regarding an area to be disturbed in Milford Township by the addition of fill belonging to Applicant, K & N Holdings, LLC. The Planning Commissions review indicates that the project area consists of 28.08 acres with the disturbance being 16.87 acres.

After listening to the concerns of the Commission, the Supervisors requested that I contact you to advise that they are concerned that this amount of fill needs to be properly screened as "clean fill" and that there needs to be verification that there are no contaminants being used upon the property. The Planning Commission raised concerns regarding the volume of the fill as well as the potential use for the property.

It is my understanding that presently there is no Zoning or Land Development or Subdivision Application pending at the Township, however, the Supervisors did want to advise you of their concern regarding the volume of fill and concerns for health, safety and welfare of the residents if contaminants are released into the ground, which has the potential for effect of the water system.

Thank you for your anticipated cooperation.

Sincerely,

Anthony J. Magnotta, Esquire

**cc: Chuck Rogers, Department of Environmental Protection, Solid Waste Supervisor
Michele Long, Executive Director, Pike County Conservation District
Milford Township Board of Supervisors, C/O Shahana Shamim, Secretary/Treasurer**

Christina Markgraf
Legal Assistant

ANTHONY J. MAGNOTTA, ESQUIRE

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Milford Township

From: Rogers, Charles [chrogers@pa.gov]
Sent: Wednesday, February 08, 2023 7:47 AM
To: Christina Markgraf; Mitchell Jacobs
Cc: mlong@pikepa.org; Milford Township; 'Shawn Bolles'; Contact
Subject: RE: [External] K & N Holdings, LLC - Milford Township, Pike County, Pennsylvania
Attachments: BE_AWARE_OF_DIRTY_DIRT!!!.pdf

As an FYI.

The DEP has witnessed a large amount of unclean fill being brought into Monroe County which was dumped on numerous unsuspecting property owners who were seeking clean fill. We created a "poster" to assist and educate homeowners, see attached. The poster can be placed in any location that is visited by the public.

Any site receiving clean fill or any generator of clean fill needs to have it certified as clean by using DEP Form FP-001, this form should be filled out and submitted thru PA Greenport for review.

Follow the link below and scroll about half way down the page under the General information section you will see Form FP-001 - Certification of Clean Fill (Electronic Form) just click on "Certification of Clean Fill" which will take you to the form. Once there you will find some instructions and a link to Help(users guide).

<https://www.dep.pa.gov/Business/Land/Waste/SolidWaste/Residual/Pages/default.aspx>

The link below will take you directly to the form upload site.

<http://www.depgreenport.state.pa.us/CleanFill>

Chuck Rogers | Solid Waste Supervisor
Department of Environmental Protection | Waste Management Program
Northeast Regional Office
2 Public Square | Wilkes-Barre, PA 18701-1915
Phone: 570.826.2349 | Fax: 570.826.5448
www.dep.pa.gov

DEP is Going Paperless: To assist DEP in reaching this goal, the NERO Waste Management Program is requesting that ALL documents submitted to the Northeast Regional Office Waste Management Program, with the exception of documents submitted through the ePermitting or OnBase applications, be submitted by email as an attachment to this resource account ra-epwm-nero@pa.gov

From: Christina Markgraf <christina@magnottalaw.com>
Sent: Tuesday, February 7, 2023 2:25 PM
To: Mitchell Jacobs <mjacobs@kileyassoc.com>
Cc: Rogers, Charles <chrogers@pa.gov>; mlong@pikepa.org; Milford Township <milfrdtp@ptd.net>; 'Shawn Bolles' <milfordzoningofficer@gmail.com>; Contact <contact@magnottalaw.com>
Subject: [External] K & N Holdings, LLC - Milford Township, Pike County, Pennsylvania

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Dear Mitch:

Milford Township

From: Michele Long [mlong@pikepa.org]
Sent: Wednesday, February 08, 2023 8:52 AM
To: Rogers, Charles; Christina Markgraf; Mitchell Jacobs
Cc: milfrdtp@ptd.net; 'Shawn Bolles'; Contact
Subject: RE: [External] K & N Holdings, LLC - Milford Township, Pike County, Pennsylvania

Good morning,

Our office has been in communication with the landowner on the submission of an Individual NPDES permit for the site since January 2022. The site is not in violation at this time under our Chapter 102 program but we do anticipate a permit to be submitted in the near future. We had a pre-application meeting with the landowner on April 6, 2022.

If you need further clarification please contact our office. Thank you.

Michele Long
Executive Director
Pike County Conservation District
556 Route 402
Hawley, PA 18428
(570)226-8220 (t) ext. 1332
www.pikeconservation.org



From: Rogers, Charles <chrogers@pa.gov>
Sent: Wednesday, February 08, 2023 7:47 AM
To: Christina Markgraf <christina@magnottalaw.com>; Mitchell Jacobs <mjacobs@kileyassoc.com>
Cc: Michele Long <mlong@pikepa.org>; milfrdtp@ptd.net; 'Shawn Bolles' <milfordzoningofficer@gmail.com>; Contact <contact@magnottalaw.com>
Subject: RE: [External] K & N Holdings, LLC - Milford Township, Pike County, Pennsylvania

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