

I. OPENING

CALL TO ORDER: The Environmental Advisory Council meeting of Lower Saucon Township Council was called to order on Tuesday, February 3, 2009 at 7:06 P.M., at 3700 Old Philadelphia Pike, Bethlehem, PA, with Sandra Yerger, Chairman, presiding.

ROLL CALL: Members: Sandra Yerger, Chairman; Tom Maxfield, Vice Chairman; Allan Johnson, Ted Beardsley, EAC Members; and Stacy Ogur from Boucher & James. Laura Ray arrived at 7:10 PM. Absent: Dennis Aranyos, Hazem Hijazi

Associate Members: Absent: Bob Davis, Glenn Kay. Tom McCormick arrived at 7:20 PM.

Hellertown Liaison: Terry Boos.

Jr. EAC Member: Jessica Null

PLEDGE OF ALLEGIANCE

II. NEW BUSINESS

A. REVIEW OF "PARK PURPOSE STATEMENTS"

Mrs. Yerger said this went to Parks & Rec last night. She doesn't know that this particular document pertains as much to us, but if you had a chance to review it, and there's anything you'd like to see included, or anything that sticks out, we can talk about it.

Mr. Johnson said it looks like this memo we got from Jack, it looks like they just copied those things and stuck them over here. In the first one, he doesn't understand what it says "the purpose of the Lower Saucon Township Parks and recreational facilities is to provide age and needs". There's some kind of mistake there. Mr. Beardsley said it should read "provide age and need" appropriate skills development. Mr. Johnson said what is age in there for? Mrs. Yerger said skilled development for people of different ages. Mr. Johnson said no. 3, it says "it is the mission of Lower Saucon Township to provide every citizen of Lower Saucon Township". Wouldn't resident be better than citizen? We're not really citizens of Lower Saucon Township, we are residents.

Mr. Maxfield said no. 4, it says "the parks mission is to preserve all natural and significant cultural resources and values". He wrote "utilizing accepted sustainable practices to provide recreational opportunities". That was what the park was recognized for by the state. We have to have sustainability as a statement and follow that, wherever practical. Mr. Beardsley said that's a good addition.

Mr. Johnson said the last sentence, it says "recreate in the activity of their choosing". He said he'd like it to read "experience safe, clean and enhanced facilities for recreation and enjoyment of nature".

MOTION BY: Mr. Maxfield moved to approve the Park Purpose Statement dated December 15, 2008 with suggested corrections as stated above.

SECOND BY: Mr. Beardsley

ROLL CALL: 4-0 (Mr. Hijazi and Mr. Aranyos – Absent)

B. REVIEW OF “DRAFT POLICY FOR USE OF PARKS & ATHLETIC FACILITIES”

Mr. Beardsley said page 4, no. 6, it says “organizations that are using the facilities will be responsible for supervision of parking and the supervision and control of spectators”. He thinks it should be “participants and spectators”. On the same page, the last one, it says “no person shall commit any of the following acts within the township parking permitting animals of any kind, to be in recreation places, whether or not in control or leash”. He supposes that means no pony rides, no petting zoos, and you can’t have dogs in the dog park. Mr. Maxfield said we need to make the statement “unless in a designated spot”. Ms. Ray said she thought they did allow dog walking. Mr. Maxfield said when they say recreation places, are they talking about on the fields or the entire park. Ms. Ray said they say within any township park. Mr. Maxfield said at those meetings years ago they said they would allow dog walking but you had to clean up after them. Ms. Ray said people definitely walk their dogs there. Mr. Beardsley said who wrote this? Mr. Maxfield said our staff. Mr. Beardsley said we should just send it back to them with our comment, and let them fix it. Mrs. Yerger said they used to not allow dogs in township parks, but that was changed. She knows they are allowed in Polk Valley Park as long as they are on a leash. Mr. Johnson said they do say they have the right to change things. Mr. Beardsley said you don’t want to have to go and get a permit. Mrs. Yerger said we need a clarification on No. 6 on park use rules.

Mr. Beardsley said on the next page, “liabilities insurance requirement”, No. 2, it says “named operation location on not less than \$1 million CSL”. What does CSL mean? Ms. Ray said it should be spelled out just once. Mr. Beardsley said it repeats that again on the next page at the top, No. 5. It says “or named operation or location of not less than \$1 million”. It should be “on not less than \$1 million”. Mr. McCormick said it should be CGL, but CSL might mean something else.

Mr. Johnson said on page 2, it says “facilities reserved” where they talk about getting a permit, but they don’t mention a minimum age. They should mention the person seeking the permit should be of a minimum age of such and such because of all the things in the permit. There’s no age requirement. People under a certain age don’t have any liability for anything. Mrs. Yerger said add “signature of the applicant (who must be a minimum of 18 years of age). Ms. Null said on the same page, No. 3, it kind of drills off there. Ms. Ray said No. 4 should be part of No. 3.

Mr. Johnson said on page 5, no. 10, setting off or discharging any firearms, air rifles, sling shots, air pistols, fireworks, including sparklers”. They should also include “archery”. Mr. Johnson said how about prohibiting paint ball guns. Mrs. Yerger said that would fall under air pistols.

Mr. Beardsley said it says if you want to rent one of the facilities, you have to do it seven days in advance. He wondered why. If you came in Friday and wanted to rent it on Saturday, they wouldn’t rent it to you. Mrs. Yerger said the only thing she can see is they can’t rent it on a Sunday when the office is closed on a Saturday. We can get that clarified. Mr. Johnson said to just give them enough time for the permitting process and to sign it, pay the fees, make the arrangements.

Mr. Maxfield said on page 5, no. 26 should be added, it’s the things that you are not allowed to do, it says use of portable lighting without the express permission of the Township. He would like to add No. 26, in other words, you wouldn’t be able to use portable lighting without the permission of the Township, other than hand held flashlights. Mrs. Yerger said we are covered from dawn to dusk right now. Mr. Maxfield said what if games run late, they are going to try to play those games.

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MOTION BY: Mr. Beardsley moved to approve the Draft Policy for Use of Parks & Athletic Facilities, dated January 2009, with suggested corrections as stated above.
SECOND BY: Mr. Johnson
ROLL CALL: 4-0 (Mr. Hijazi and Mr. Aranyos – Absent)

C. REVIEW OF “AGRONOMIST/TURF MANAGEMENT SPECIALIST”

Mrs. Yerger said these are suggested duties of an agronomist/turf management specialist. These fields are getting used a lot and there is already some concern that they will be over used and they will not withstand the amount of use they are taking. They only have three fields and have 19 teams playing up there at varying times...a lot of playing, and that doesn't count the visiting teams. The suggestion from Parks & Rec and staff was to have a professional agronomist come in and at least do an evaluation of the field and try to help us determine the best care for the fields and how to figure out what kind of uses they can really withstand without really beating them to death.

Mrs. Yerger said she would like to add one at the bottom as she'd like to see the recommendations from the agronomist need to be kept within the townships policy for minimum pesticide uses and use of organic and natural fertilization that is mentioned in some of the other policies. She'd like to make sure that's the approach he's going to use. Mr. Maxfield said we should use, following sustainable practices, in there. Mrs. Yerger said it should say "to follow the township's policy for sustainability with minimum pesticide usage and application of organic and natural fertilizer. Mr. Maxfield said maybe we should make an overall recommendation that the township seeks an agronomist that is familiar with these techniques and recommend those types of treatment. This has to do with training the Public Works Department, and we want everybody in line with that.

Mr. Beardsley said they talk about the agronomist inspecting the playing fields in the parks. Why don't you broaden it and have all Township properties, then you can send them some place that's not necessarily a park...one of our easement areas. Mrs. Yerger said the only reason right now is because of the volume of the usage of the fields. Mr. Beardsley said broaden it and have it anywhere in the park. Just say public places. He'd go anywhere you'd send him. Why limit him. Mrs. Yerger said we can say "playing fields and other township owned turf areas".

MOTION BY: Mr. Maxfield moved to approve the "Suggested Duties of Agronomist/Turf Management Specialist" dated 1/21/2009 with suggested corrections as stated above.
SECOND BY: Mrs. Yerger
ROLL CALL: 4-0 (Mr. Hijazi and Mr. Aranyos – Absent)

D. REVIEW OF “DRAFT MAINTENANCE POLICY FOR TOWNSHIP PARKS”

Mr. Beardsley said on page 5, under J, it says "park natural areas should be inspected annually by the EAC or Public Works Department". He doesn't know if there's anyone on the EAC that is qualified to inspect. Mrs. Yerger said Terry Boos to some extent. Mr. Boos said he would at least recognize the plants. Mrs. Yerger said the Public Works isn't going to know either. Mr. McCormick said you could say "EAC, Public Works or other designee of the Township". Mr. Maxfield said we could say "inspected annually by the Township".

Mrs. Yerger said on page 7 of 8, it says "Public Works will plow only the main entrance and roads in Township parks in the event of accumulations of ½ inch or more. No parking lots in Township parks will be plowed". She was wondering if they should take a pass through. Polk Valley Park is the biggest park so far to allow for Cross Country Skiing. Mr. Maxfield said he talked to Jack about that last night and nothing was plowed. He was going to talk to the guys and have them make a pass around as we see people using the park and also the Police need to go up there and check. Mr. Boos said you almost need a minimum of 4" of snow to go Cross Country Skiing. Mr.

Johnson said he drove up to Polk Valley Park the other day and the road was not plowed and people were using it, so it was packed down and it was very icy. They should at least plow up the hill, but not the parking lots. Mr. Maxfield said the people that were up there didn't quite know where to go and some of the infiltration rock was kicked down the hill. Mr. Johnson said he went up the hill and he thought he made it, and it was very slippery, then he had to go down the hill, so he put two tires in the grass and went down very slowly, so maybe he knocked down the rocks. Mrs. Yerger said she'd ask for minimal plowing of parking lots during snow events. Ms. Ray said who plows a 1/2" of snow. Mr. Johnson said they should treat it with salt and cinders. Mrs. Yerger said "the Public Works Department will treat/plow only the main entrances and roads in Township parks in the event of accumulations of 1" or more and minimal plowing of parking lots in Township parks. They are talking about appropriate applications to reduce the danger of injury due to fall as that's a liability issue. Mr. Maxfield said we need to have Jack question Roger about the applications. Mrs. Yerger said we should then request minimal applications of gravel or anything. This needs to be looked at by Public Works and our Attorney.

Mr. Maxfield said on page 2, it talks about putting down pure nitrogen, gallery, barricade, razor, he doesn't know what any of this is. He doesn't know if they are organic or what, and he's worried about them entering a water system. Mr. Boos said he's just assuming they are brand names. Mr. Maxfield said he knows we had made the direction early to use organics, if possible. Mrs. Yerger said it's clarified later on. Mr. Boos said it is delineated upon your turf situations in which case your agronomist would be telling them when to do it, etc. Mr. Maxfield said can we say, only in situations where benefits of controlling targeted pest outweigh overall risk of using herbicides and other methods. Mrs. Yerger said what they were saying last night, was there was some kind of grub going under and literally killing all of the grass. They didn't know if they should treat it or not treat it. They ended up treating it. Friends of hers had the same thing, and they literally had brown patches the size of the table, giant dead areas. She said we can go back to what we said with the Agronomist that we are looking for minimal treatment as natural as possible with minimal pesticide and residue. Mr. McCormick said maybe it would be good to distinguish between the ball fields and the surrounding areas. Mr. Maxfield said it would just be used on the turf area. Could we make a recommendation that the list of chemicals be reviewed for sustainability, stable practices, etc. If we had a sheet, we could have Bob Davis look over it and email us and let us know. Mrs. Yerger said we need a clean copy first of all. We'd like him to look at the entire list of chemicals. Who would put pure nitrogen on a field? We're trying to control nitrates, and here you put nitrogen on the field. Mr. Boos it doesn't mean they are including pure nitrogen, they have a mathematical formula and how much to apply. It's a certain percent of nitrogen and another percent of another chemical. If you are using organics nitrogen, the nitrogen percentage is usually under 4%, which you shouldn't really have to worry about. Mr. Maxfield said we should get an idea of what are in these applications. Mrs. Yerger said there are times the best case scenario is using round up once in a while because of its short life. Mr. Maxfield said he's listened to a organic gardening show, and he's never heard any of these being mentioned. Mrs. Yerger said Bob Davis certainly would be someone we could get this list to and he could email us his thoughts. Mr. McCormick said the Agronomist is going to be an outside agency? Mrs. Yerger said yes, they will be a consultant.

Mr. McCormick said one of the things he has done in his business life, is get free advice from people who are trying to learn business from him, so if there are firms that are being considered for being retained as an Agronomist, one of the things you can do is ask the candidate, as a favor, as part of the application process, to review this proposal and speak to its ethnicity as to will it work, whether it's consistent with sustainability principals. Then, someone who is good would be able to eyeball that and the way they address that question. Will it first of all be free advice and they can tell you who to hire. Is Jack going to manage the RFP, or whoever it is, you should ask the candidates to address how they'd manage our turf. Anyone bidding for business in this market, would die for the chance and say, "of course I'll look at that for you". They should also advise if it

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would work or not, the effectiveness. Mrs. Yerger said the whole section on the IPM's, it's pretty much under the IPM procedures.

Ms. Ray had a question on the mulching on page 5, is it really the best practice to remove all the mulch from the prior year. She thought it was good to leave it because it decomposes. Mr. Maxfield said it depends what it is. If you use that wood mulch, it can get that black moldy spore. They probably get rid of it up at the compost center.

Ms. Ray said on page 8, on composting, she's wondering if this is maintenance of township parks, then they have this whole section on composting, where did we do composting, where is this that they are talking about? What does this have to do with park maintenance. Mrs. Yerger said maybe there are places, but off hand, she doesn't know. She interpreted it that we are using some composted material somewhere, and they are sort of talking about how you get there. Ms. Ray said it didn't seem like it belonged on maintenance of township parks, like egg shells. Mrs. Yerger said then we need to clarify this one also. Mr. Beardsley said just a simple statement that plant debris should be composted.

Mr. Johnson said on page 6, 3rd bullet from the top, it says "in areas that may be damaged by contact from mowers such as in the vicinity as of fencing, nursery stock and other improvements, string trimmers, shall be used." His experience with string trimmers, you can take the bark right off the tree with a string trimmer. They should leave a little ring of grass around the tree. Don't try to trim right up to the tree. Mrs. Yerger said her husband weed whacks all the time, and they have never had many issues. Nursery stock is going to be mulched, so she doesn't think it's going to be an issue up near the bark. Mr. Maxfield said at the Heller Homestead a few years ago, they planted a memorial tree, and our guys almost cut all around it with the weed whacker. Maybe we should just eliminate nursery stock out of there.

Mr. Johnson said page 7, under slit-seeding, "bare areas shall be slit-seeded at the rate of 8 to 10 lbs. per 1,000 sq. ft. as needed". His experience is where grass plain won't grow, like under the trees, so maybe the trick is to use a certain kind of grass seed there. Mr. Boos said it depends on what type of tree it is. Mrs. Yerger said like a Norway Maple, nothing will ever grow under there. Mr. Johnson said the point he is trying to make there is some places you shouldn't try to grow grass, grow something else. Mrs. Yerger said then we should put "where appropriate".

Mrs. Yerger said under Part B, she has "playing fields and other township owned turf areas" to be inserted in that area dealing with the agronomist. The grid, we want this reviewed by the agronomist and/or other professional, or Bob Davis if we can get him to do it. Mr. Johnson said Part C, Fertilization, maybe it should be titled "Fertilization and Weed Control". Mrs. Yerger said on page 2, under Fertilization, changes as stated by Mr. Johnson.

Mr. McCormick said for the table, we should have it reviewed by someone for the effectiveness and the environmental soundness. It should also be reviewed for suitability for areas to be played on by children. You wouldn't want your kids face down on the grass. Mrs. Yerger said is it suitable and safe for the environment and human activities.

Mr. Johnson said under Pest Management Objectives, it says Pest Management Objectives, and one of them is to reduce the exposure of humans, particularly children. Mr. McCormick said maybe since this motion is going to be so lengthy, maybe we should just say we recommend that the Council incorporate or consider the changes that have been collected by Mrs. Yerger. Mrs. Yerger said yes, that would be great. On J, we wanted to pull out EAC and Public Works and have Township there. On P, the whole snow removal thing, she has minimal chemical treatment perhaps consider minimal plowing of parking lots in winter for winter activities and she also has when needed minimal applications of any kind of treatment, and treatment for winter safety access.

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Slit-seeding, where appropriate. On composting, she has clarified the need for this whole thing to even be in here.

Mr. McCormick said we should recommend to have the proposed chemicals used for fertilization, pest control and weed control should all be reviewed by all members of the EAC and potential Agronomist for effectiveness, environmental suitability and safety for given activity.

- MOTION BY:** Mr. McCormick moved for recommendation as will be provided by EAC Chair to Township for revision.
SECOND BY: Mr. Maxfield
ROLL CALL: 4-0 (Mr. Hijazi and Mr. Aranyos – Absent)

III. DEVELOPER ITEMS

A. WYDNOR HALL SITE PLAN #SP-01-09 – 3612 OLD PHILADELPHIA PIKE

Mrs. Yerger said she doesn't know why we received this. It's on Old Philadelphia Pike and there is a side little cottage and they are adding a second story. We have no concerns. They are not extending it. There is no extension, so they are not creating any more impervious coverage, they are not extending into the flood plain any further. It's an existing non-conformity. They want to put up a little apartment up there. Ms. Ray said are they allowed to? Mrs. Yerger said that's not environmental, and that would go before Planning. Mr. Maxfield said we should state it in such a way that we didn't see it go any further into a flood plain, but it should be avoided at all cost. Mr. McCormick said are there any lighting issues? Mrs. Yerger said they don't have anything on it now, but it may come up as an issue down the line. Mr. Maxfield said on these plans you don't get any architectural detail. Mrs. Yerger said it says on the plan no new paving areas or changes to impervious coverage are proposed. No increase or change in storm water runoff rate. Neither the existing use or the expanded use will alter the character of the neighborhood or cause heat, glare, smoke or vibration, no erosion, no sinkholes, no earth disturbance. Ms. Ray said it sounds like they need a zoning variance. Mrs. Yerger said that's not for the EAC to decide.

- MOTION BY:** Mr. McCormick said we take no action other than to comment that the plan should be resubmitted if any changes are made to the commitments made regarding that no additional impervious surface are to be changed.
SECOND BY: Mr. Maxfield
ROLL CALL: 4-0 (Mr. Aranyos & Mr. Hijazi – Absent)

B. CLOVERVIEW BASIN GRADING OPTIONS

Mrs. Yerger said this is for the project up in Cloverview which is the property we bought and it's the head waters of the Saucon Creek. There is a half constructed detention basin that we want to naturalize, and there's three options. Ms. Ogur said it's up to Hanover to make sure the basin would still function, to make a recommendation on which of the designs might work best for functionality. We did the basic aesthetics, but it's up to Hanover to determine which one would work. Mr. Maxfield said on Option 3, it's shallower than Options 1 and 2 by three feet. Mrs. Yerger said until Hanover reviews it, she's not particularly comfortable making any recommendation on this. Maybe we can get Hanover to do a review on it and bring it back. This is between Hanover and Boucher & James.

IV. OLD/MISCELLANEOUS BUSINESS

A. REVIEW AND APPROVAL OF JANUARY 13, 2009 MINUTES

Ms. Ray said there is one blank on page 8, line 17, "Cora Brooks Foundation".

MOTION BY: Ms. Ray moved for approval of the January 13, 2009 minutes, with corrections.
SECOND BY: Mrs. Yerger
ROLL CALL: 4-0 (Mr. Aranyos & Mr. Hijazi – Absent)

B. COMMENTS/CHANGES ON "DRAFT ROAD MAINTENANCE POLICY"

Mrs. Yerger said we looked at it and we sent some changes in. She hasn't gotten it back yet.

C. COMMENTS/CHANGES ON "LVPC STEEP SLOPES GUIDE AND MODEL REGULATIONS"

Mrs. Yerger said it's in our natural resource protection overlay zone. There are percentages of what we allow and what we don't allow on steep slopes. Ms. Ray said we were emailed the percentage of disturbances. Mrs. Yerger said we do performance zoning, we don't go into conditional uses. We take our natural resources out and then we allow percentage from when the resource protection calculations are withdrawn and then you have that much left to develop. It's strictly a percentage and the way we address it. Mr. Maxfield said we are saving a lot more steep slopes now on sites than we used to. Mrs. Yerger said especially since we do our natural resource calculations first. Ms. Ray said on page 20, No. d, they had something about minimal of at least one acre. Mrs. Yerger said we have a minimum, and they give square footage. Ms. Ogur said it's saying you can't build on a lot unless it has at least one acre. Mrs. Yerger said if you are talking about steep slopes that are wooded already, until you do your NRP out of that, it's got to be way more than an acre to get 15% of that. Mr. Maxfield said what about 15% to 25%. The 85% has always bugged him and he thought it should be a little higher than that. Mrs. Yerger said she's not comfortable about that either. Mr. Maxfield said for 15% to 25%, make it 75%, and for over 25%, make it 85% to 90% protection rate. That will give us a guide. Mrs. Yerger said as Mr. Maxfield had reiterated, conditional uses makes her very concerned because then you are putting it back into the hands of Council to allow this, this and this, and it starts getting real gray and mushy. Ms. Ogur said then you'd have to change the environmentally sensitive woodlands, isn't that supposed to be higher percentage? Mrs. Yerger said she's right. We'll have to look at that. She said we'd like to see the 85%. Mr. Maxfield said could we maintain 85% on the woodlands and up the steep slopes to 90%. Ms. Ogur said you have woodlands that overlap with steep slopes, do you want the 25% steep slope to take precedence? Mr. Maxfield said yes, because if we allow that 15% like on the Harris property, and somebody finds a way in to disturb a certain amount of it, what we are trying to do is to steer them away from areas like that. Ms. Ogur said her only concern is that some of the plans you look at, they don't differentiate with the slopes, like what makes the environmentally sensitive percentage. They don't overlap, they don't show the different areas of slope to let you know this is environment, this is woodland. Mr. Maxfield said how do we differentiate now between a 20% slope and a 25% slope. Ms. Ogur said if there is an environmentally woodland area, you don't have to as 85% is the max. They are all 85%, but areas outside of woodlands, they do differentiate the slopes, it's just when they overlap with the woodlands. Mrs. Yerger said we can bring this up tomorrow night with the Council. Mr. Maxfield said he'd like to re-visit the 25% over...whatever we have to do to make them jive. Forget the recommendation on 75% right now. It seems like the LVPC is trying to prohibit usage. We might have a property that is above 25%, so this may limit how much they can disturb that property. Mrs. Yerger said we can make that a recommendation. Ms. Ray said there could be so many loopholes. Mr. McCormick said he'd be more comfortable if we were observing a different standard and

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saying let's look at that as a best practice or a high water mark. Mrs. Yerger said we should just review this with Council. We are requesting that our engineers and planners review it again and revisit the figures again.

MOTION BY: Mr. McCormick recommends that this body recommends to Council that they ask the engineers or planners to consider the level of disturbance allowed under our steep slope ordinance and make a recommendation about necessary or appropriate percentage, above 25%.
SECOND BY: Mr. Maxfield
ROLL CALL: 4-0 (Mr. Aranyos & Mr. Hijazi – Absent)

V. UPDATES/REPORTS

A. EAC GOALS & OBJECTIVES

Mrs. Yerger said you all should have a copy of the EAC Goals and Objectives. Mr. Johnson said No 6, where we say “work with township staff to compile and assess existing township hydrology information relative to groundwater use and protection”, he would like it to say “relative to ground water quantity, use and protection”. Mrs. Yerger said wouldn't that automatically happen. Why don't we do it this way, “Groundwater use, quantity and protection”. Ms. Ray said she has some information about the possibility of a compost workshop, but doesn't know if we may want to drop it off the list. She did talk to the County Extension Office and they did say we can get a master gardener who will do a program, but she looked into getting the bins, and the ones they get through DEP, are all spoken for. The last proposal she made was if you get them in bulk somewhere, can we buy them from you. If we just went and tried to buy some, they are very expensive. We would have to come up with a grant. Ms. Ray said all their composting workshops fill up and their bins are used. Mrs. Yerger said she can have Leslie research this. We can still leave it on as one of the goals and if we can come up with it and get them from DEP, we can do it. Mr. Maxfield said we can do the home made ones also with the chicken wire. They are not very hard to do. We can also just provide the plans. Mrs. Yerger said a woman did a very inexpensive one down in Bucks County. Mrs. Yerger will see if she can get her name. She asked if there were any more corrections and she'll submit this to Council tomorrow evening.

MOTION BY: Mr. McCormick moved to approve the EAC 2009 Goals and Objectives.
SECOND BY: Mr. Johnson
ROLL CALL: 4-0 (Mr. Hijazi & Mr. Aranyos – Absent)

B. OPEN SPACE SUB-COMMITTEE

Mr. Beardsley said there is a map of the Smith property. He will get the Smith information that Mr. Smith filled out. Mr. Smith would like to sell it for \$1.00. Mr. Johnson said he's not too anxious to go out and inspect anything when there is snow on the ground. It's easy to slip on rocks. Mrs. Yerger said that's fine. Mr. McCormick said he went to look at it, and the entrance is a very steep hill and it had signage about don't come on my land, so we should definitely make contact with Terry Smith. It's going to score very much if he wants to sell it for \$1.00. Mrs. Yerger said he wants to give us about 14 acres, anything that is not buildable, the upper part. He has two small parts of open space that he's tacking on to the resident's lots.

Mr. Beardsley said the Skraban property they scored and they want to recommend it for preservation. Mrs. Yerger said she will take it to Council tomorrow night and start the process. She asked Mr. Beardsley if they talked to him as far as what he wants to do with it? Mr. Johnson said he told himself to get a lawyer and then negotiate. Basically he said, he'll put up the whole thing. Mrs. Yerger said then the next thing we need to do is get an appraisal. Mr. Johnson said we hire the people from Doylestown or the people from Wildlands. Mrs. Yerger said usually we let it

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up to the landowner. The biologist comes out and does a baseline. Mr. Johnson said he asked him about hunting, so there can be an arrangement where the land is shut down for a certain period of time and he can hunt there. He was worried about his liability if people were going to hike over the property. Mrs. Yerger asked about access to the property. Mr. Boos said there is no problem with access. Mr. Maxfield said if we go the entire hunting season, it's eight or nine months out of the year. Mrs. Yerger said what you don't understand is if he allows hunting on it, we may want to look at other funding sources. She is going to take your recommendation and would like to proceed and see if it will fall into County. Mr. McCormick said he's much more open to public access than restrictions. Nothing more would make him happy than to have Boy Scouts camp there. It's ideal for Boy Scouts as there are knolls and woods. He does have concerns about people going on his land and if they slip and break their leg, he's going to lose his home, so he has to be made comfortable that public access comes with no liability, it's our liability. Mrs. Yerger said it would be in his best interest if he had an Attorney. Mr. McCormick said the hunting thing is important. Mr. Beardsley said he might be just talking about deer hunting. Mrs. Yerger said she would like to look and put in an application to the County for this one. Mr. Johnson said areas of farm land are areas of state importance regarding the soil. It's probably 40% ag, and 60% wood. Mr. Beardsley said he was told it's about 59 acres. Mrs. Yerger said it has to be a minimum of 50 acres. Mr. McCormick said this one is suitable for development. The view is beautiful and very much threatened. It really would be a developer's dream. You can walk from the park to his property. Mrs. Yerger said the next step is it has to go to Council and go for an appraisal. Mr. McCormick said he had another issue and this is his family land, and he has his primary home off of Creekview. He wanted us to conserve half of his lot where he lives and Mr. McCormick said we target big areas.

Mr. Beardsley said they are tentatively scheduled to go and see the Vanscavage property on Sunday,
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Mr. Beardsley said Leslie gave him a disc of the open space action plan, but it won't play on his computer, so she asked him to email him one. She could email him one, but not with the maps. He thought maybe we could get a link and put it on the EAC's website so he could tell people "here's the link, go look at it" and they'll have all the maps. Mrs. Yerger said let's do that as an official recommendation.

MOTION BY: Mr. Beardsley moved to make a recommendation to get the open space plan with maps on our website, so people can access it.

SECOND BY: Mr. McCormick

ROLL CALL: 4-0 (Mr. Hijazi & Mr. Aranyos – Absent)

Mr. McCormick said what about the Skraban property? Mrs. Yerger said she'd like a motion to have the EAC move forward

MOTION BY: Mr. Beardsley moved to make a recommendation to Council that the Skraban property should be preserved through easements.

SECOND BY: Mr. Johnson

ROLL CALL: 4-0 (Mr. Hijazi & Mr. Aranyos – Absent)

Mr. Beardsley said someone has to be in touch with him after the Council meeting and tell him the township is interested in the property, they are ready to order an appraisal, and nail down a couple of things about public access so Mr. Skraban understands what the process and potential is. Mr. McCormick said you have to first talk about the building envelope. Mr. Johnson said send him an email and he will forward it to Mr. Skraban.

C. **RAIN BARREL WORKSHOP**

Mr. Maxfield said we got a whole bunch of rain barrels stored over in the basement. Mrs. Yerger said the Saucon Creek Watershed Association has lots and lots of rain barrel things. Do we want to do a program with them and help promote one? It's basically making a rain barrel to mitigate your run off from your roof and other areas of your home. She will talk to the Watershed Association and come back with some dates.

D. **PA LAND TRUST ALLIANCE (PALTA)**

Mr. McCormick said he contacted Pennsylvania Land Trust Alliance (PALTA) and reached out and called and did not hear back from the Executive Director yet. On the PALTA website, they have a model form of a conservation easement that they recommend. It also has a commentary form. We were struggling with what to say to landowners who were saying, they would like to conserve their land, but they'd like to do some timbering in a responsible way. We could say no, or say timber away. PALTA's model form treats this. They discuss the concept of sustainable forestry within the conservation easements. They do it for two reasons. One it's a good idea, and two, it apparently is required by the Growing Greener Act. He doesn't know whether the Growing Greener Act has mandatory requirements or it says do things our way, and maybe there's some additional funding available. PALTA recommends, sustainable forestry should be limited to non high impact areas and they have restrictions and definitions of sustainable forestry. They recommend that a conservation easement be divided into high impact areas and they allow for sustainable forestry for other. He's not recommending that, he's saying that's an approach they have taken. Some time it may come to the point that somebody gives us an opportunity for a conservation easement and we might regret it if our only policy is absolutely none, never under any circumstances, because then it stays as is, as when Mr. X passes away, and Mr. X, Jr. takes over, it now becomes a development. The most obvious green answer may not be the right answer in the right cases. You may think PALTA is coming in the right places, maybe not. They've grappled with this. With Mr. Reiss we can say forget about it, no, but what happens when we really get fantastic opportunity years from now, do we just say no. Mr. Maxfield said when you talk to PALTA, see if they came up with a good green answer. Most of our sensible areas to be logged are gone. Most of the wood left is on slopes. Our type of forestry is going to have to be tailored to where we have low and high impact and find out what it means to us. Mr. McCormick said we could say in a conservation easement you can do any timbering or forestry you like as long as it complies with the ordinance. Mrs. Yerger said a lot of municipalities do a municipal forest ordinance/reforestation and that's an automatic demand they have it in place before they even cut the first tree.

C. **Mr. Boos: - Hellertown Report - COULD NOT HEAR HIM**

- ❖ He read in the paper recently about the _____ in PA and NJ.
- ❖ He said
- ❖ He said Hellertown is going to start to do some _____.

VI. **NON-AGENDA ITEMS**

- ❖ Mrs. Yerger said in your packet was the tree vitalize grants and they are due February 15 and she'd like to see us apply. She'd like to see us try for one of the parks. We need trees in Polk Valley, we need trees in Kingston Park. To her, it doesn't matter. Polk Valley could include the dog park section as well as it's a barren section, and the property in front

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of the Dog Park is the Norcar property. She'd like a motion for Polk Valley Park and Norcar.

MOTION BY: Mr. Maxfield moved for recommendation to apply for a tree grant for the Polk Valley Park and the Norcar property.

SECOND BY: Mr. Beardsley

ROLL CALL: 4-0 (Mr. Hijazi & Mr. Aranyos – Absent)

- ❖ Mr. Maxfield said he would like for us, as a body, to make a recommendation to Council for Woody Eyer and Lenny Szy. These are guys that worked with the Lutz-Franklin Schoolhouse and what they've done is managed to raise gobs of money for Lower Saucon Township Historical Society by recycling paper. It's called the Abitibi Bow Water Paper Retriever Program. Both members have spent countless hours since the fall of 2007 caring for the bins and encouraging the community to recycle it's paper products. These guys have taken the whole program, go to the bins, and clean the junk out of the bins. Because they are working like this, we have the cleanest bins in the area. They oversaw 838,780 lbs. of paper for recycling in just 2008. They saved over 7,000 trees. They are the highest producing group in the Philadelphia area. This is a model for recycling. It would be great if the township with EAC's recommendation could recognize these two individuals. They are involved in the Historical Society.

MOTION BY: Ms. Ray moved for recommendation to recognize Woody Eyer and Lenny Szy as stated above.

SECOND BY: Mr. Maxfield

ROLL CALL: 4-0 (Mr. Aranyos & Mr. Hijazi – Absent)

- ❖ Mr. McCormick said let him know about any movement on the Giant underground tank. He read our Township ordinance and they don't care what the State says. Mr. Maxfield said their attorney found a hole in the ordinance that allows for multiple uses in that particular zone, it's GB-2. Ms. Ogur says it's not a hole, it's plain as day, you can have more than one primary use. Mr. Maxfield said now we're relying on the underground tank. Mr. McCormick said they can't put a tank underground on top of a creek. Mr. Maxfield said the fill line is not protected in any way. They've been in contact with our Zoning Officer. Their attorney found multiple uses. Mr. McCormick said which body is in charge of the multiple uses? Mr. Maxfield said the Zoning has to do a review. It would go through Planning Commission. Mr. McCormick said he will be helpful in any way he can. Mr. Yerger said they have to submit a plan first. She will check with Chris Garges.
- ❖ Mr. McCormick said the car wash on 378, those lights are fluorescent. Mrs. Yerger said we've already had people on Council talk about this. Mr. McCormick said northbound 378, they are so bright. Mr. Maxfield said they had a meeting with them, and said the lights are too bright. Here's another problem with our ordinance. We had glare ordinances that covered the side and the back of the property, but not the front of the property. Agentis, the car wash people, said they need it for liability purposes and we told them they are not washing cars out in the middle of the road. What they were supposed to do was put a diffusing sleeve on the lights to see what it would do for lowering the light level. They were arguing that they shouldn't have to do anything. They haven't gotten back to us yet. Mr. McCormick said the billboard has characteristically changed the character of that block. Mrs. Yerger said we are talking about doing updating on our lighting ordinance. Mr. Maxfield said we were very conscious of the exterior lighting and not the interior lighting. The people complaining that live there, should call the township and make a complaint. Mr. McCormick said it's also drivers on 378. Mr. Maxfield said they are not bad guys and they will change it if they get enough complaints from the township.

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- ❖ Mr. McCormick said it's an Upper Saucon matter. It's a development that's going to be a "55+ and older" unit. About 78 acres are Upper Saucon and 8 acres are Lower Saucon. His understanding is that the 8 acres are not being pursued for development in Lower Saucon. He also understands that land is for sale. The northeast tip of that which is bounded by Colesville Road across the street from the bank. Residents in that area would like to buy that sliver and it would be something of a buffer. It occurs that the eight acres could be pursued as it's flat and it's cornfields, with the car wash, the bank, a four way intersection, that would be something of a buffer. Perhaps some kind of public-private partnership could be done there with the residents and the township. He doesn't know who is going to finance it. Mr. Maxfield said let them come in and talk to the Township. Mr. McCormick said it seems to be something where we could do some good in a lot of character change in that area.
- ❖ Mr. McCormick said asked about the Rails to Trails. Mr. Maxfield said they are actually pulling the old rails and stacking them. Mr. Beardsley said they are up by Meadows Road. Mr. Maxfield said SEPTA sub contracted a company to take away the rails and they are having trouble with attendance of the people who are taking them out, and it's not progressing on a real solid schedule. Mrs. Yerger said they are looking on forming an advisory body for the Rails to Trails. Our Parks and Rec is also making recommendations.
- ❖ Mr. Johnson said the City of Bethlehem is planning on expanding it's sewage treatment plant and it's going to have a lot of environmental effects on the land, but the lands not within the Township. Is there any way we can caution them to be respectful? Mrs. Yerger said until they come out with a plan on what they are going to actually do, and they can share it with us.

VII. ADJOURNMENT

MOTION BY: Mr. Maxfield moved for adjournment. The time was 9:40 PM.
SECOND BY: Mr. Johnson
ROLL CALL: 4-0 (Mr. Aranyos & Mr. Hijazi – Absent)

Sandra Yerger, Chairman