

**I. OPENING**

**CALL TO ORDER:** The Environmental Advisory Committee meeting of Lower Saucon Township Council was called to order on Tuesday, February 7, 2006, at 7:00 P.M., at 3700 Old Philadelphia Pike, Bethlehem, PA, with Tom Maxfield, Chairman, presiding.

**ROLL CALL:** Present – Tom Maxfield - Chairman, Thomas Conlon, Ted Beardsley, Allan Johnson, Hazem Hijazi, Sandra Yerger; Ted Beardsley, Laura Ray, Tom Conlon and Dennis Araynos. Absent - Michaleann Berger, Glenn Clouser, Rett Oren, and EAC Jr. Member Jeff Perreira

**PLEDGE OF ALLEGIANCE**

*Most EAC members could not be heard and the tape did not pick up a lot of the voices. If you want to add anything in the minutes, please give it to Tom Maxfield and the transcriptionist will add it.*

**II. NEW BUSINESS**

**A. REVIEW OF BOUCHER & JAMES MEMO OF 1/11/05 – OF RIPARIAN BUFFER ISSUES**

Mr. Maxfield said this letter was sent to our Manager for increasing the riparian corridor.

Laura Ray said on the first page, “the buffer should be “forested”, so does that mean we would be able to plant in them? Mr. Maxfield said it’s a no cut policy. When they talked to Ann Rhodes, they said we are able to allow the trees to grow up, and eventually the trees would have to be taken out. Laura Ray liked the idea of adding intermittent streams. Mr. Johnson said it seems basically you’re recommending we have a 100 foot riparian buffer and everything is treated the same within that 100 feet. He was looking at the Saucon Creek behind the Giant food market and it was pointed out to him that the parking lot in the Meadow’s gets flooded every time it rains, so there’s an example of where someone built a parking lot in a flood zone which also would be a riparian buffer. Are you going along with the idea that if you have an adjacent wetlands adjacent to the streams that the riparian buffer extends 100 feet out from the edge of the wetlands even if the wetlands is 200 feet wide? They talk about some of ordinances that do include that. This includes your lakes and ponds where you have your riparian buffer.

Mr. Rick Tralies from Boucher & James said he will be attending the meetings for a while. He said lakes and ponds usually are not included, but once in a while they are. Their intention was to write your wetland ordinances.

Mr. Johnson said are the springs that from which a stream begins considered to be part of the stream, and therefore, you’d have 100 feet around? Mr. Hans Riemann said it’s 125 feet from the center. He lives in Springfield Township and he has 14 acres of wooded property. He’s south of Polk Valley Road. For spring sources, he also believes that it is 125 feet because the spring moves in the stream and it’s still 125 feet from the center of the stream. The beauty of it is the narrower the stream, at the center of the source, you have more protection because the stream is smaller. Mr. Johnson said if your definition is strictly 100 feet from the stream bank, since the stream banks are so irregular, you’re 100 foot buffer would be very irregular, the outer boundary. So, by using the centerline of the stream, you’d probably have a smoother outer boundary. Mr. Beardsley said the Saucon Creek is different than the Lehigh. It’s all relative.

Mr. Conlon said the recommendation is 100 feet as measured from the top of the bank.

**MOTION BY:** Mrs. Yerger moved to recommend to Council the Boucher & James letter of 1/11/06 for 100 feet from the spring bank with the addition of recommendation of the springs to have 100 foot diameter protection around the source.

**SECOND BY:** Ms. Ray

**ROLL CALL:** All in Favor  
None Opposed

**MOTION BY:** Ms. Ray moved to have our staff look into purchasing a GPS device for our township to use.

**SECOND BY:** Mr. Maxfield

**ROLL CALL:** All in Favor  
None Opposed

Mr. Johnson asked Hans how he would describe the differences between a spring and a seep. Mr. Riemann said a seep does not push water above ground all year round. It's usually dries up during the summer months. Mr. Johnson said he's noticed several seeps in the middle of several roads in the township.

**B. REVIEW OF BOUCHER & JAMES MEMO OF 1/20/06 – MINI OPEN SPACE PLAN**

Mr. Maxfield said a motion was made by Council to institute this already. This is more an informational thing. Mr. Johnson said there are a couple of things in here that don't make sense. No. 18 they forgot to make a recommendation. He knows the Township is against the TDR. Mr. Tralies said his office has had the open mini space plan for two months and they've read it and basically they feel that it doesn't quite go far enough to really achieve what the township wants to do and that is to create a strategy for acquiring open space. There didn't seem to be too much action in the open space plan. There was a lot of good information, but it felt to him that the mini open space plan was a document telling you how to create an open space plan. Based on that idea, they really think the township should go ahead and create another document that is more of a document that starts to identify what kind of lands do we really want, are there areas in the township that we know would be good for the township to acquire as open space. That was their recommendation to go ahead and go another step further with a new document that can jump off from the mini open space and implement some of the strategies that were in the mini open space plan so they can work as a two part, but also each two can function on their own to a certain extent.

Mr. Hijazi said why can't the mini open space plan be expanded to incorporate whatever is missing. Mrs. Yerger said it's done and finished. Mr. Johnson said if this is the list of recommendations that you're recommending we include in our new mini open space plan, no. 18 recommends transfer of development rights and that was one of the things that the Planning Commission and nobody else wanted. It surprises they came around and recommended that. It says transfer of development rights is a viable way to preserve whole parcels as open space and exchange for permitting greater densities on properties, which are better, suited for development. That sounds like exactly what Harry Roth recommended. Mr. Tralies said it is a recommendation that could work here, maybe it won't, and maybe we need to study it more at this point. It's something he didn't want to just put to the side. It's up for discussion. Mr. Tralies said that's why they couldn't work the mini open space plan into another document as you would have to amend it and it just seemed easier to start over.

Mr. Johnson said what will happen to the open space plan that's been recommended by Council? Is that going to go anywhere or is it just going to stop and they are going to consider developing a new one? Mr. Maxfield said he would think that the idea would be to develop a new plan, which would be associated with the mini open space plan. Mr. Beardsley said Council had a public hearing and they adopted it as part of the Township's master plan. It is now part of the comprehensive plan.

Mr. Johnson said there's one where you talk about saving farmland. It says that the agricultural protection ordinance may be applicable to questions of the township; however, it is difficult to determine where and how they may be applicable without first analyzing the soils of the township and identify possible open space areas within prime agricultural soils. His first comment was there is a Northampton County Soil survey. You can go and pick that up and see all the different soils in the Township. Once this is destroyed by messing with the topsoil, you don't have any more and there's no way to bring it back. You have to have something to protect it from developers, in the mini open space plan or someplace. It has to be included with the trees, the streams, mountains and rocks and everything else. He feels it's more important than the forest land because the farmland contributes to human survival while the forest land contributes to animal survival, although it does help for human survival, but farmland contributes directly to human survival. The basic value of it is where you grow your food. Ms. Ray said maybe the way to do it is identify farm property as something worthwhile purchasing. Mr. Johnson said there should be a way we can write something into the plan to protect the farmland even if it doesn't look like we're going to get any grant money to buy it.

Mr. Hijazi said at this stage now, for the sake of discussion here, there's the matter of we all agree on the importance of farmland as much as the others, and we can provide this input to Boucher & James so they can help in the development of the new plan and when it comes down to the implementation, then Council and everybody involved in the township can evaluate the restrictions, the money, the priorities and so on. To summarize it, farmlands are important as some of the other natural resources and that's an input for you to incorporate that into the work plan. Mr. Tralies said if there's something you feel strongly about one way or another, let them know. Mr. Hijazi said those are comments on the existing mini plans and he takes it that they are going to be presented and take them to the next level.

Mr. Johnson said if you ever watched the death of Suburbia, as a planner, it would be a good idea to look at that movie and decide whether or not you see that you may agree with the future and what that movie projects. The planner should be aware of the effects on society. The reason he's defending farmland is because after you see that movie, you'll realize that in the future, things may get to the point where we may have to rely on crops that can be grown in our immediate area because the cost of transporting food from California or South America are going to be so much that we aren't going to be able to afford to do that.

Mr. Tralies said he hasn't gotten into formulating a list yet. They are just really starting to sift through all the GIS information, so they are not far yet. If anyone has any ideas, please let him know. If he then missed anything, you can let him know.

Talking about the streams, Mr. Johnson said at the point where it leaves the Steel Co. property and starts to meander towards the river, there are fisherman fishing down there so it must be pretty good quality water. Mr. Riemann said you might be able to get a grant as it flows through an old industrial area.

**C. HERITAGE CONSERVANCY – OPPORTUNITY KNOCKS (OPEN SPACE) BOOKLET**

Mrs. Yerger said this was from her office, written by Michael Frank. This is not something that they developed; it's been out there a long, long time. This was a good motivating tool as it is in the best interest of everyone to preserve open space as a community investment. Mr. Hijazi said do you look at distributing this to the population here? Mrs. Yerger said they were talking about having a presentation. This is a justification for an open space referendum. She corrected herself and said it would be a .25% tax. This was developed for municipalities as an educational tool with state funded assistance. It's been very well accepted. Mr. Hijazi said if he comes here, he's going to be preaching to the choir. Mrs. Yerger said you need to have a public meeting and he would be willing to. This would have to be advertised. You're talking about a tax and this meeting would

help us to educate people. The average tax is usually .125%, not .25%. Mr. Conlon said if you had a \$100 tax bill, how much more are you going to add to that? Mr. Aranyos said it would be 25 cents. Mrs. Yerger said it's not a lot and it's doable. This would be the fairest way. They have helped municipalities structure an open space referendum.

Mr. Hijazi said if the tax is raised, the township collects the money, what guarantees that they can't access that money not for open space? Mrs. Yerger said it will be designated.

Mr. Conlon said when we had the bonds of \$4 million; we bought 40 acres for Polk Valley Park. Mr. Maxfield said it was a straight loan. Mrs. Yerger said this would be for open space, not so much for parks. Mr. Hijazi said the point he is trying to make whether it's open space or not, the plans are so expensive that \$700,000 to \$800,000 is not going to get you too far. Mrs. Yerger said the \$4 million for the park was purchased as well as development of the park. The development for the park was almost \$2 million.

## **II. DEVELOPER ITEMS**

### **A. PENN'S VIEW ESTATES – KERRY CLAIR VENTURES**

Mr. Maxfield had a map. He said they looked at this one once before. He doesn't have the recommendations, but the ones he does remember, he doesn't really see that any of our recommendations, if any, were put on the plan. They made recommendations like move the road, keep the old large tree on the property, move the detention basin and water systems away from the road, things like that, and they didn't do any of it. He thinks we should restate the same recommendations as before. They need to delineate the protection zone as it's within 500 feet. The plans indicates it's 19.33 acres and it should be 19.11 acres.

In summary, the recommendations are as follows:

1. The detention ponds be relocated farther from the property line, specifically to the down slope residential property and to Banko Lane because this is a non-carbonate site. They believe the applicant should aim for 100% infiltration of storm water on the site. They believe that locating the ponds farther from these two acres would encourage infiltration and help to contain the water on the site.
2. The detention pond be "naturalized" planted with appropriate vegetation to aid infiltration and prevent pollution.
3. It is not clear to the EAC if the large pine near the planned entrance is to be maintained. This pine is a magnificent specimen that is an asset to the site and should be kept with appropriate protection during construction to avoid its wide root base.
4. In order to reduce impervious coverage, the EAC suggest a cartway width of 24 feet and minimization of driveway surface.
5. The planned entrance seems to be point directly at the existing neighboring farmhouse. If this is so, it should be moved to reduce direct glare from the car headlights exiting the site.
6. The EAC recommends as little disturbance of the northern wooded slope as possible in order to maintain the rural character of the area. They recommend that the house on Lot 6 be moved from the wooded area closer to the road. This will have the added benefit of reducing impervious surface from a shorter driveway length.
7. Along with native landscaping, the EAC recommends the preservation of the existing hedge tree rows wherever possible. These rows are historic resources that provide habitat for small wildlife and add to the rural character of the township.
8. The applicant investigate the applicability of cluster for this development. The rural nature of much of the surrounding area and the open nature of the center of the site suggest possibilities for conservation design.

9. This site is located on the edge of a watershed protection area as delineated by the Sourcewater Protection Study of Springfield Township. This is part of the Cook's Creek Watershed, designated as an "exceptional value". This makes it imperative that on site 100% infiltration be achieved in order to preserve the quality of the springs and tributaries that feed the Cook's Creek.

**MOTION BY:** Mr. Maxfield moved have the same recommendations as before in the previous letter plus applicant shall delineate the protection source water protection zone on the site, recommend 100% infiltration on site, that the two basins be naturalized and that they seriously look into the option of cluster development.

**SECOND BY:** Mrs. Yerger

**ROLL CALL:** All in Favor: Yes  
Opposed: None

### **III. OLD/MISCELLANEOUS BUSINESS**

#### **A. 2006 GOALS AND OBJECTIVES**

Mr. Maxfield said the previous goals and objectives as stated at the last meeting:

- Council wants a five-year plan as they want to know what these committees are doing. Council will want an update every year.
- Have a native plant sale in spring again.
- Possible Christmas Tree Recycling.
- Computer recycling again.
- A new homeowner's packet for native plants
- An environmental calendar
- Get the EAC website into existence.
- Education on lawn chemicals and alternatives
- Packet for new home owners about energy conservation
- Clean up Ringhoffer Road

Mr. Maxfield said instead of adding more to the above list, why don't we work on what we have written down.

Mr. Maxfield said we got an okay or the native plant sale, which is on May 6<sup>th</sup>.

Mrs. Yerger said the Saucon Creek Watershed meetings are February 11 and 14. All are invited. On February 11 it's at 2:00 PM and on February 14, it's at 6:00 PM.

Mr. Johnson said as a goal to include in our five-year plan, to consider the problems of sustainable energy and how it affects our environmental goals in the township. Also, include the problems of sustainable energy. He can see where he is going to start writing memos or reports to detail his thinking of this subject.

#### **B. REVIEW AND APPROVAL OF JANUARY 10, 2006 MINUTES**

*Mr. Conlon left. The time was 9:10 PM*

Mr. Aranyos said to correct page 4 where it reads, "Mr. Araynos said a lot of pollutants aren't from homeowners, but the majority is from golf course which are adjacent to streams." Put "Mr.

Aranyos said a lot of pollutants possibly aren't from homeowners, but the majority may be from golf courses which are adjacent to streams".

Mr. Johnson, said on page 6, third paragraph it reads "Mr. Johnson said the riparian corridor plan we looked at last month, Saucon Meadows, there's a little intermittent stream that runs under the road, so you'd want to prevent anything from 100 feet from that stream? Change it to "Mr. Johnson said the subdivision plan we looked at last month. Saucon Meadows, there's a little intermittent stream that runs under the road, so you'd want to prevent anything from 100 feet from that stream?

**MOTION BY:** Mrs. Yerger moved to approve the January 10, 2006 minutes, with corrections.  
**SECOND BY:** Mr. Aranyos  
**ROLL CALL:** All in Favor: Yes  
Opposed: None

#### **IV. UPDATES/REPORTS**

##### **A. HELLERTOWN REPORT**

Mr. McKenna was absent. Nothing to report.

#### **V. NON-AGENDA ITEMS**

- Mr. Riemann said the date of the native plant sale is May 6 and that works with the nursery. Last year it was a success. They sold 168 plants last year. The people that bought those plants last year will be looking for an ad in the spring newsletter for another sale. The nursery hasn't given him the complete list of what they have available. They are thinking of providing for another \$1 or \$2 a unit, a larger variety. Last year they had a subcommittee to finalize the plant selection and he thinks they should have one this year. He's likely to do kind of the same perennial plants as last year. The nursery is thinking of putting together a six-pack with two or three different plants. That's something to kick around. Mrs. Yerger said she likes the idea of the six packs. Mr. Hijazi said to Mrs. Yerger to just give them a recommendation and that's it.
- Mr. Riemann said he put in five asters in the plant garden and all of them except one are doing fine. He's hoping to replace some plants that did not take. He's spraying, but the deer still insist on eating the plants. He still has to sit down with Jack and talk about the bench he wants put in the garden. He'd like a concrete bench with wooden slats. He said the wild ginger looks good also. Also some of the money that is left over and allocated from Council from last year he'd like to use a better compost for the garden. It was good, but unfortunately, that mulching had all kind of seeds in it. He'd like to upgrade the mulch to a composing mulch.
- Mr. Johnson said we were going to talk about the Act 167 Storm Water Plan and nobody brought it up at this meeting. Mr. Maxfield we'll do it at the next meeting.

#### **VI. ADJOURNMENT**

**MOTION BY:** Mrs. Yerger moved to adjourn the meeting. The time was 9:28 PM.  
**SECOND BY:** Mr. Johnson  
**ROLL CALL:** All in Favor: Yes  
Opposed: None