

I. OPENING

CALL TO ORDER: The Environmental Advisory Council meeting of Lower Saucon Township Council was called to order on Tuesday, February 8, 2011 at 7:02 P.M., at 3700 Old Philadelphia Pike, Bethlehem, PA, with Sandra Yerger, Chairman, presiding.

ROLL CALL:

Members: Chair, Sandra Yerger; Vice Chair, Tom Maxfield; Laura Ray, Ted Beardsley and Allan Johnson. Absent: Hazem Hijazi & Colin Guerra

Associate Members: Dru Germanoski. Absent: Tom McCormick, Chiharu Tokura & Glenn Kaye.

Planner: Karen Mallo – Boucher & James

Hellertown Liaison: Terry Boos

Jr. EAC Member: Tara Jain

PLEDGE OF ALLEGIANCE

II. NEW BUSINESS

A. REORGANIZATION

1. NOMINATION OF CHAIRMAN

MOTION BY: Mr. Maxfield moved to nominate Sandra Yerger as Chair.

SECOND BY: Mr. Johnson

Mrs. Yerger asked if there were any other nominations? No one raised their hand.

ROLL CALL: 5-0 (Mr. Hijazi & Mr. Guerra – Absent)

2. NOMINATION OF VICE-CHAIRMAN

MOTION BY: Mr. Johnson moved to nominate Tom Maxfield as Vice-Chair.

SECOND BY: Mr. Beardsley

Mrs. Yerger asked if there were any other nominations? No one raised their hand.

ROLL CALL: 5-0 (Mr. Hijazi & Mr. Guerra – Absent)

3. NOMINATION OF SECRETARY

MOTION BY: Mr. Maxfield moved to nominate Laura Ray as Secretary.

SECOND BY: Mr. Johnson

Mrs. Yerger asked if there were any other nominations? No one raised their hand.

ROLL CALL: 5-0 (Mr. Hijazi & Mr. Guerra – Absent)

4. DESIGNATION OF EAC MEETING, TIME PLACE AND DATES FOR 2011

MOTION BY: Mr. Maxfield moved for the second Tuesday of each month at 7:00 PM at Town Hall. The dates were approved in December 2010 for the meetings.

SECOND BY: Mr. Johnson

ROLL CALL: 5-0 (Mr. Hijazi & Mr. Guerra – Absent)

5. GOALS AND PROJECTS FOR 2011

The group discussed the goals and projects for 2011, which are as follows:

1. Compost Workshop – Mrs. Yerger will check with Tom Dittmar on this.

2. Promotion of Native Plant Garden – Mrs. Yerger said the Girl Scouts are still working on the native plant garden, so we are already endorsing the native plant garden. We don't have to do much more with this.
3. Promotion of Electronic Recycling – Mrs. Yerger said she doesn't think A-Plus has gotten their certifications yet. Mr. Maxfield said we really need to find someone to do this. Mr. Johnson said Tom Dittmar is going to have three E-cycling events and he's going to have AERC for all three of them. Mrs. Yerger said they do charge and that has sort of been the issue. Mr. Maxfield said what if we had like a regional post for Mr. Dittmar's event. What if we had a truck here that we could fill up and take it to wherever he recycles things instead of making people travel out to where he holds them, even if we have to charge them. Mr. Johnson said he's sure that AERC would come here and do it for Lower Saucon Township. Mrs. Yerger said as long as we don't mind charging, we could think about doing that. Mr. Johnson said Pennsylvania has some kind of law that they will be charging like \$5,000.00 to the manufacturers for them to recycle their products. If that happens, then it seems like all stores will have to take the products back, so we won't need to have recycling events anymore. Tom Dittmar said they recycle tons of these products as people do have to pay and they just want to get rid of it. Ms. Ray said you have to emphasize that there will be a charge. Mrs. Yerger said we can put it in the ad that there is a cost. Mr. Johnson said he wonders what A-Plus is going to do with this new state law when it goes into effect. He's going to have to comply with their requirements and if he complies with their requirements, then there is no reason for us not to have him. Mr. Maxfield said the prices on the Northampton County brochure are their prices, maybe AERC prices are different. Mr. Johnson will look into this and contact AERC to see if a date can be worked out to have a recycling event in Lower Saucon.
4. Native Plant Sale – Mr. Maxfield will check with the Saucon Creek Watershed Association. The EAC could do one in conjunction with them like they did last year. They did well with the plant sale last year. Terry Boos was very helpful in going to the Edge of the Woods and picking up the plants with Mrs. Yerger. Mrs. Yerger asked Mr. Boos if he would check with the Farmer's Market as every week they have a non-profit organization they allow to come. She would think around May. Last year they did it on Mother's Day along with the Saucon Creek Watershed Association.
5. Educational programs with Saucon Creek Watershed Association – See No. 4 above.
6. Work with Township staff to compile and assess existing Township hydrology information relative to groundwater use and protection – Mrs. Yerger said we're told there is existing information. We just have to get the Engineers to get it to us. We also need a hydrologic map. She said let's make a formal recommendation and petition Council to direct the Engineers to compile the hydrological information they have. We keep hearing they have the information. Mr. Maxfield said they have the watershed protection area designation, where did they get that information? It's got to be out there somewhere. This won't be the first time we've done this. We've asked at least two times before for this information. Mrs. Yerger said do we want to lump No. 6 and 7 together? Mr. Maxfield said yes. Mr. Germanoski said we should request it in a GIS format. If we see what the Engineers have and what is available, like he mentioned before, maybe it could be a student project in GIS and they could augment it and get the base map and then see what they would perceive to be deficiencies and they could maybe fill in. Mrs. Yerger said that sounds great. Mr. Maxfield said the holders of that information should be Hanover. They are the ones that told us they've had this information for awhile.

7. Work with Township staff to map existing wells and investigate well protection methods and landowner educational opportunities

MOTION BY: Mr. Johnson moved that the EAC recommends to Council that they carry out item No. 6 and No. 7 on the 2011 Goals and Projects, which are stated above.

SECOND BY: Mr. Maxfield

ROLL CALL: 5-0 (Mr. Hijazi and Mr. Guerra – Absent)

8. Provide electronic media information on environmental issues – Mrs. Yerger said they will continue to give Laura Ray information for their website.
9. Promote more frequent county recycling hazardous waste recycling collection with the county – Mrs. Yerger said Laura Ray has been putting the County information on the EAC website. Ms. Ray said we can also put on the website what we do with our funding for the open space program. Mr. Maxfield said that would be a good beginning outlet for what we've done so far.
10. Adopt-a-Road Program – Mrs. Yerger said she would like to pick a date for the roadside clean-up for spring and fall. The group picked Saturday, April 30 and Saturday, October 22, 2011 starting at 9:00 AM. We can do it in conjunction with the Great American Clean-up and we can have Mr. Cahalan get us bags, gloves and vests donated by PennDOT.
11. Lighting Ordinance – Mr. Maxfield said he has something he's wanted to do for years and he's doing it with Glenn Kern and Judy Stern Goldstein. They are going to go out and look at lighting and make some recommendations on a new light ordinance based on the dark skies initiative idea for the Township which would basically be trying to cut down as much sky lighting as possible and trying to think about the neighborhood impacts of lighting. He would like to get that going and then bring it to the EAC and have the EAC make a recommendation to Council. He'd like this to be a goal for the EAC. We've had lighting issues lately where lights have been coming onto people's properties. Mr. Boos said in Cherry Valley State Park has had a special program for dark skies type of celestial observation and people are not allowed to have regular lamps, they have to use red lamps for the park at night. He doesn't know if it would be that simple as conversion to that type of lighting, which could possibly solve the problem. Mr. Maxfield said he's thinking about Town Hall, the arc lights that shoot up in the air that we really don't need. If you go to Deer Run or places like that, there's a lot of houses that the light shoots up on to the house or stadium lighting at the high school. A lot of them could use some altering. It's also a safety issue. When you drive up Polk Valley Road, those lights are right on the road and you can't see anything. If anyone has any ideas, please let him know and he'll try to compile something. There are some sample ordinances from other Townships. In summary, he'd like to propose that a goal for the future of this year would be to compile and refer recommendations on lighting to Council.

Five Year Goal:

1. Establish Environmental Education Programs at Township Parks – Mrs. Yerger said we are in the middle of doing the meadow project at Polk Valley Park, which is in progress. We've done some of the border plantings and naturalized that. It was on the sustainable park tour. She doesn't know we've done any educational programs. Mr. Maxfield said there's the meadow out at Southeastern also, which is about halfway through its development.

MOTION BY: Ms. Ray moved for approval of the Goals and Projects for 2011 as stated above.
SECOND BY: Mr. Beardsley
ROLL CALL: 5-0 (Mr. Hijazi & Mr. Guerra – Absent)

6. SUNSET OF OPEN SPACE EIT – EAC RECOMMENDATION TO CONTINUE TAX

Mrs. Yerger said there is a memo from Mr. Cahalan on the process that needs to take place should we want to recommend continuing the Earned Income Tax (EIT) for open space preservation. We would have to make the recommendation no later than our April meeting, which is only two meetings from now. Then it has to be to Council by May 4th. Then Staff can get it to the Courthouse and on record by August 9th so that it makes the November ballot. The biggest part of this is going to be the education process. We need to tell the residents what we've done with it. We did the Dravec and Mease properties and completed the Coal Road property and we're almost complete with the Whitetail Bowman's Club. Laura Baird has been working on that one with Ms. Huhn and Mr. Cahalan. We will have Whitetail Bowman. Mr. Johnson said how much of the money we collected did we actually spend? Mrs. Yerger said we have quite a bit left, about \$2 million. Mr. Johnson said that's what people are going to ask us. Mr. Maxfield said there are still things that are being worked out and that money could go quick. Mr. Beardsley said \$2 million isn't all that much. Mr. Johnson said what percentage is that which has been collected? Mrs. Yerger said it's about half. Mr. Maxfield said he doesn't want to see this come up at Council and he wants to make it a solid recommendation. We need that info out in front of the public on what has been done and what is in the queue. He doesn't know if we can just put down the acreage in the queue. We don't need to use names. There are people that come to the Council meetings, one or two in particular, that will claim we have done nothing and that is because we have not saved their back yard, and we need to say this is what we have really done. We have people that claim he, Glenn and Sandy are only saving property in their backyards. We need to get the accurate information out there. If we can get a newspaper article out before it comes to Council that would be great. Mrs. Yerger said she'd like to see a press release. Mr. Maxfield said it should be in our newsletter, on our website, and we should just flood it. Last time, the important buy-in was the school district, and we need to hit them up again. We did a presentation in front of the school district to get their support and it worked. We need to do it again and express the same things now that held then and hold now. It's a good deal and is good for the taxpayers, and he can add things we believe in. Ms. Ray said we need a collection of facts. Mrs. Yerger said Ms. Huhn can gather that information for us like the acreage, the money, the properties. Mr. Maxfield said instead of saying we have spent this amount of money on this property, why don't we say we have spent a total of this amount of money and with this money we have preserved and we have this much acreage in the queue. That way we don't single anyone out. We want to keep people's privacy as much as possible. Mrs. Yerger said if they are in the queue, it may not come to fruition, so we don't want to put the names out there in case it doesn't happen. Mr. Maxfield said we need to take advantage of this time period with the way the economy is going. We're never going to get it this cheap again. Mr. Beardsley said people are turning us down as it's not enough money. They are thinking five years ago money. Mr. Maxfield said everyone is aware that values have gone down. Maybe that's something we need to tell the residents right up front. Mr. Johnson said if they are thinking about waiting until values go up, then they'd better vote for the new EIT or there won't be anymore. Mrs. Yerger said do we want to recommend this? The Committee said yes. Mrs. Yerger said if we want to do it, then we need to get it promoted as much as possible. She will write a press release and coordinate it with Mr. Cahalan. If it comes from the Township or the EAC, we'll work it out with Mr. Cahalan. Now is a good time to do it. Mr. Maxfield said what we've saved is pretty interesting as it's all over the Township. Mr. Beardsley said would a map help?

Mrs. Yerger said Chris Garges can generate a map. Mr. Johnson said he thinks we said that three times already that someone will do a map and we never got the map. Mrs. Yerger said it's not hard to do, so we'll get Mr. Garges to do a map for us. Ms. Mallo said it might be good to have the map color-coded. Mrs. Yerger said we have to work through how we want to open the Dravec property to the public. She and Mr. Cahalan are working on that with Attorney Treadwell to make sure we have all our protections in a row as far as privacy and everyone stays where they belong. Mr. Johnson said are you going to allow or promote horse trails on that land? Mrs. Yerger said she hasn't thought about that. They just were thinking about hunting season and how to control that. Mr. Johnson said if horses were allowed, then that would take the pressure off for doing it on the rail trail. Mrs. Yerger said that's true and there are horse farms out that way. Mr. Maxfield said that might be nice getting on a horse and walking down that driveway. It would fit the area. He was thinking all the properties we could do it on and that's about it as we own it and the rest are conservation easements. Mrs. Yerger said that's a good thought. She needs a recommendation to Council to authorize the advertisement of the ordinance by May 4, 2011 to reenact the EIT in conjunction with a press release on the properties we have preserved.

- MOTION BY:** Mr. Beardsley moved to recommend to Council to authorize the advertisement of the ordinance by May 4, 2011 to reenact the EIT in conjunction with a press release on the properties we have preserved.
- SECOND BY:** Mr. Maxfield
- ROLL CALL:** 5-0 (Mr. Hijazi & Mr. Guerra – Absent)

Mrs. Yerger said we are going to have to launch a campaign. We were at the polling stations on Election Day. We have to think about this as the year goes by and will have to keep talking about it from now until November. Anyone with good ideas, whether it's Community Day, at the Volunteer picnic, wherever it is, we need to make sure this is in people's minds and what has been accomplished. Mr. Johnson said if somebody who is good at writing can do a write-up of what we should talk about and come up with a script that we could basically follow, that would help. Mr. Maxfield said at the school district, you have to be on your feet, as they will ask you questions. The entire group can go the school district and do a power point presentation. Mrs. Yerger said they will ask the school district to be on the agenda. Mr. Germanoski said we should start with getting the data compiled, what are the successes, what space was preserved before, what are the new ones, and then get some data on the ones that are being considered and being negotiated. Ms. Ray said go back to how it's keeping your taxes down and kids in the school. Mrs. Yerger said the Land Trust Alliance came up with the value of open space and it's a real quick, easy flyer and she will bring it with her to the next meeting. It's protecting the habitat. It's protecting the water quality. It's keeping your real estate prices high as they know those communities that are built with integrated open space, the real estate prices do stay higher than those built out completely. It hits all the bullet points. That's a real good basic reference. Mr. Beardsley said Penn State did something where they categorized the land from a tax point of view and it was farmland and open space. Mrs. Yerger said it requires no amenities and puts no burden on the taxpayers.

III. OPEN SPACE SUB-COMMITTEE

A. PROPERTY UPDATES

Mr. Beardsley said he, Mr. Johnson and Ms. Baird went to see the three property owners together and they had a meeting. It was Viktoria Smith-Arthur Buroff, John and Amy Carber, and Richard Marson. The meeting was the best meeting they had with property owners and part of that was because Laura Baird was along. They were a little more organized and all three property owners are interested in moving forward. There was two feet of snow, so they didn't walk the properties.

As soon as the snow is off the ground, they will go back. The property owners all pretty much want to go to the next step. Mr. Johnson said the information we brought up made them think. They want to go ahead and see what happens next. Mr. Beardsley said they talked to them about the tax advantages of a bargain sale. They didn't say they weren't going to do that. It may be more about them wanting to protect their privacy than the money. That works for us. The motivation with most of the people they talked to so far has been the money and this had a different feeling all together. Mrs. Yerger said as soon as you walk the property, you'll report back to us. Mr. Beardsley said he wants to write them a letter thanking them and he will be in touch with them in the springtime. Ms. Baird is going to send them a sample conservation easement so they can take a look at it.

IV. DEVELOPER ITEMS

A. PAVELCZE MINOR SUBDIVISION #MIN 01-09 REVISED PLANS – 1760 FRIEDENSVILLE ROAD

Ms. Mallo said copies of their letters and the Engineers letters are in your packet. There are issues that came before Planning Commission. The issues with this are the size of the lot and whether they are going to have sewer or on lot septic. Right now, she takes it there is septic, but they are proposing sewer hookup. There is an existing two-story dwelling and they are going to propose another lot. There are also significant issues with the ownership of this property. They are not really sure as to who owns the unnamed alley. There's a question as to how this property was originally separated. Mr. Maxfield said there are two houses right now on one lot. Ms. Mallo said there is a deed, so they are going to be clearing up the ownership issues as well as getting information on the alley as there is currently access from the one house to the alley. Mrs. Yerger said she really didn't see any true environmental issues. Ms. Mallo said the only environmental issue that came up was the septic as they don't have enough lot area for the septic. They said they were going to go with sewer but they haven't shown us details of the connection. Ms. Ray thinks it's the Bethlehem line that runs there. Ms. Mallo said that line is proposed in the alley, and they are not sure who owns the alley; and therefore, how that line is going to access. The engineer's letter addresses the sewer. Mr. Maxfield said he wanted to take pine trees down. Ms. Mallo said he was more than willing to go with Ms. Stern Goldstein's recommendation on the trees and the species she was recommending. Ms. Mallo said from an environmental perspective, the owner did say that he was going to indicate and add a note to the plans that all the barrels and things that were on the site would be removed. Mr. Germanoski said the question he had was what about soil testing where the barrels were stored? It said the barrels were in poor condition. Ms. Mallo said the applicant indicated at the Planning Commission meeting that everything has been removed and it's not there. From a planning perspective, they can't require him to do the soil testing. It could be a recommendation, but it's not required because there's nothing there. Mr. Germanoski said the tanks could have been removed, but what happens if they were in poor condition and leaking. Ms. Mallo said there was discussion of that at the Planning Commission meeting. Mr. Germanoski said they said a cleaning solvent, which could be bad. Mr. Maxfield said we could say that's a condition that we feel should be investigated a little bit further.

MOTION BY: Mr. Maxfield moved that the one-time storage of the barrels and the site they were sitting on should be investigated a little bit further to make sure there's no toxic residuals left there.

SECOND BY: Mr. Johnson

ROLL CALL: 5-0 (Mr. Hijazi & Mr. Guerra – Absent)

B. T-MOBILE NORTHEAST LLC SITE PLAN #SP 05-10 & CONDITIONAL USE #CU 04-10 – 1995 LEITHSVILLE ROAD

Mrs. Yerger said this is a co-location on an existing tower. Ms. Mallo said from an environmental perspective, there is really no issue. This tower had an addition this time last year. The only difference is that they are adding a small concrete pad, so they'd just need to update their site

capacity calculations to reflect that additional 280 or 300 square feet of impervious surface. Mrs. Yerger said because of the less impacts, they do encourage co-locations instead of putting up new towers every time. They just put another array up and it's a lot more environmental friendly. There was no comment from the EAC.

V. APPROVAL OF MINUTES

A. REVIEW AND APPROVAL OF DECEMBER 14, 2010 MINUTES

Mr. Germanoski said on page 4, line 53, the word "existed" should be "existence". Page 5, line 3, the word "delineating" should be "delineation". Mr. Johnson said on page 1, line 36, the second last word "which" should be "with". Page 5, line 11, the word "aleve" should be "leave". Line 23, the word "plain" should be "plane".

MOTION BY: Ms. Ray moved for approval of the December 14, 2010 minutes, with corrections.

SECOND BY: Mr. Johnson

ROLL CALL: 5-0 (Mr. Hijazi & Mr. Guerra – Absent)

VI. OLD/MISCELLANEOUS BUSINESS

- Mr. Maxfield said he just picked up some sort of flyer from PPL talking about their tree cutting policy, which is not what we have seen in the township. Now they are talking about selective cutting and leaving lower growing bushes and trees on bases of towers.

VII. UPDATES/REPORTS

A. LEHIGH VALLEY WATERSHED CONFERENCE 2011 – MARCH 11, 2011 @ LEHIGH UNIVERSITY

Mrs. Yerger said there is a registration form in your packet. You are welcome to attend. The Township is a sponsor and there is one slot open that is free. If you are interested, please contact Mr. Cahalan and as an EAC member, it will be paid.

B. NORTHAMPTON COUNTY E-CYCLING EVENTS CALENDAR

Mrs. Yerger said there is a copy in your packet. Maybe Ms. Ray can get some of it up on our website and then we'll hopefully get our own E-cycling event up there as well.

VIII. TERRY BOOS – HELLERTOWN REPRESENTATIVE – REPORT – No report

IX. NON-AGENDA ITEMS – None

X. PUBLIC COMMENT – None

XI. ADJOURNMENT

MOTION BY: Ms. Ray moved for adjournment. The time was 8:08 p.m.

SECOND BY: Mr. Beardsley

ROLL CALL: 5-0 (Mr. Hijazi and Mr. Guerra – Absent)

Sandra Yerger, Chair

Next EAC Meeting: Tuesday, March 8, 2011