

I. **OPENING**

CALL TO ORDER: The Environmental Advisory Council meeting of Lower Saucon Township Council was called to order on Tuesday, March 6, 2007 at 7:02 P.M., at 3700 Old Philadelphia Pike, Bethlehem, PA, with Sandra Yerger, Chairman, presiding.

ROLL CALL: Present – Chairman, Sandra Yerger; Vice Chairman, Tom Maxfield; Laura Ray - Secretary, Allan Johnson, Ted Beardsley, Glenn Clouser, Tom McCormick, Bob Davis and Hazem Hijazi. New member, Glenn Kaye was present. Rick Tralies from Boucher & James and Mike McKenna from Hellertown was present. Absent – Dennis Aranyos

PLEDGE OF ALLEGIANCE

II. **NEW BUSINESS**

A. **DIANE MATTHEWS-GEHRINGER – WILDLANDS CONSERVANCY**

Taken off the agenda.

B. **PARK & RECREATION FEES IN LIEU OF LAND DEDICATION – DRAFT RECOMMENDATION TO INCREASE FEE**

Mrs. Yerger said she apologizes that this did not make their packet. It's not on Council's agenda for this month. The best thing to do is take it home and study it and then put it back on the agenda for next month. Mr. Tralies said Harry Roth had recommended ways to calculate Park and Rec fees in one of his plans...the comprehensive recreation plan. He came up with his figure on Park and Rec fees. The number he based all of findings on didn't turn out to become a very reliable source. The Township hired a consultant to figure out a base number. Judy Stern Goldstein took that new base number and used Harry's methodology to come to a new Park and Rec fee.

Mrs. Yerger said this will be moved to next month's agenda.

C. **POLK VALLEY PARK HABITAT RESTORATION CONCEPT**

Mrs. Yerger said Rick, Tom and herself have walked the park on numerous occasions. She said anyone who hasn't even walked it, they will have to do that when the weather turns nicer. It's closed to traffic, but you can walk it. The upper part of the park beyond the multi purpose fields and active recreation fields, there is a large section that they have thought about turning into passive recreation, trails, etc. It was farm fields. She is looking for ideas in terms of meadow restoration, grassland restoration, habitat for birds, birds in general, small animals, and then put trails through those and then it would at least be interesting. They could even increase the tree buffer between the development and the park itself to create more privacy. The school is across the street and they are working with the school district to get a sidewalk in place to get to the park. They also could take the habitat area to create some educational opportunities for the kids.

Mr. Hijazi asked if she could update them a little bit about the park. Mrs. Yerger said the active fields are at rest right now as you have to let the grass establish itself for a more than a full year so it's strong enough to withstand the heavy use of all the soccer and baseball players.

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The grass is growing right now. Mr. Hijazi asked if these were new ideas? Mrs. Yerger said it takes it a little further. What we knew was those areas could never be active recreation. They couldn't be turned into ball fields because of the slope of the land, the wetlands proximity, etc. They've taken it beyond just having mowed the grass all the time. One other factor they've looked at is if you do the concept of something like meadows, it has to be mowed once a year which she likes as it really cuts down on maintenance cost for this portion of the cost. They will have to look at that long term

Mr. Maxfield said when the park was first designed, they weren't really on the committee. There are parts of the park plan that they are not happy with. This is an attempt to address those parts of the plan. When the park land was put together, they didn't have the additional 12 – 13 acres right next to it. It's the only open field there. Mrs. Yerger said the land was owned by a bankrupt credit union. She would like the EAC members to look at the proposal so we can pass it on to our Planners, have them take a look at it, then start coming around to what it is going to cost? Is it feasible? Please take a look at it. It isn't going anywhere until Parks and Recs, Planning, Engineers and Council looks at it. Mr. Hijazi said shouldn't Parks and Recs come up with these ideas? Mr. Maxfield said that's a really good idea. They should have input here. Mrs. Yerger said if you have any additional ideas, let her know.

Mr. Johnson asked if the land was sloped? Mrs. Yerger said yes, it is sloped. Mr. Johnson said since it's a park, is there any chance of setting aside an area to ski and slide on sleds and things like that if they can't do it at home? Mr. Maxfield said they might be able to do that. It's a good idea. Mr. Maxfield said someone thought about cross country skiing. This extra piece of property connects to the Hellertown property where they are thinking about putting the yard waste recycling facility there and there's a lot of space there.

Mr. Hijazi suggested maybe the scope of work should go first and take out Karen & Lisa's names.

Mr. Maxfield said this will be presented tomorrow night to Council, so that it can be passed on to Parks and Rec, staff and the planner.

MOTION BY: Mr. McCormick moved to recommend and forward this to Parks and Rec, staff, and the planner and have them look at it and add any additions and see if there are any funding possibilities for any of these components.

SECOND BY: Glenn Clouser

ROLL CALL: All in Favor: Yes
Opposed: None

D. MAY MEETING LOCATION

Mrs. Yerger said they have had their first success story in a while with open space preservation with Laura Ray's property. It was a very long and drawn out process. Perhaps in May, weather permitting, we may want to change the location of the meeting to her house and do a little field trip. They can car pool to a couple of properties and really take a look at some of the properties they've preserved already. One was preserved through cluster development. One was preserved through donation. It may be helpful for everyone to see some of the type of properties of the open space plan that we have been talking about and reviewing.

EAC members suggested changing the time to make it earlier in the evening or do it on a Saturday afternoon. A suggestion was on May 6 when the native plant sale is, it could be done right after that and do it on that afternoon instead of taking up two weekends.

Mrs. Yerger said think about it and bring it back to the next meeting.

III. DEVELOPER ITEMS

A. ROTH MINOR SUBDIVISION – 2783 BUTTERMILK ROAD

Mrs. Yerger said this is a project in Williams Township and Lower Saucon Township. It looks like it's pretty much an open field. Mr. Tralies said they run into issues like this where a developer changes the lot line. They have to show they are not creating any non conformity. Mrs. Yerger said from an environmental standpoint, there's not much to say. Mr. Tralies said they are not proposing any development. At the moment, it's two parcels. They are taking their dividing line and moving it. Mr. Hijazi said do we know why? Mr. Tralies said we assume for future subdivision on the parcel on the part in Williams Township, but they aren't proposing that at the moment. Mr. Maxfield said this will go to the Planning Commission next.

The EAC has no comment at this time.

B. PIERPONT SLATER PROPERTIES (WARNER) – ROUTE 378 – PROPOSED BANK

Present: Greg Feinberg, Attorney and Ken Durholz, Builder. Mr. Feinberg said the thing that brings them here tonight is the issue of the riparian way which is adjacent to their parcel. They are at the corner of Colesville Road and 378. There's a single home on the parcel. If you think about it, there's a drainage ditch along side of Colesville Road that exists today, and pipe that runs off of the neighboring farmland across the street on Colesville Road. They are proposing a bank for the site. The riparian buffer has a 100 foot buffer requirement. The nature of the location of where it has been designated, they don't necessarily agree with that. They will address it because they have to. The riparian way has been viewed by their Engineers and they believe it runs pretty much in this pattern relative to the parcel. What you see on the plans is a 100 foot buffer off of the edge of the riparian way. Your ordinance is sufficiently unclear as to the setback and where the buffer begins and ends. The nature of the site is such as it slices through the heart of the lot. They need to discuss how they can soften any affect from this site and address this riparian buffer and get your endorsement. What they are proposing is an attempt to filtrate the concept of the buffer. They are trying to filtrate the waters that go into the riparian way as much as possible so they are not directly off of a runoff parcel. The ditch is not finished. They would finish the swale and plant it with wetland plant seed mix in an effort to filter whatever waters are coming off of this site. Having said that, this is going to be impervious surface and there is sub terrain retention that is now required and is designed in this lot. The runoff from this lot may well be less than it is currently.

Mr. Durholz said it's basically a sub terrain detention basin...a series of pipes that collects the volume of water and there's a calculation of how much volume of water there should be. The general concept is rather than having an open pond, you collect it in this structure. Mr. Feinberg said in January there was a new environmental code and it used to be a site like this required retention basins. The water would flow off and it would be held in a basin which would then seep off or flow out at a designated rate so as to control the flow off of the lot so everything didn't go pumping into a certain area. You had a pond that held everything and then that would slowly leave into pipes and into the waterways. The preferred method now is to have these infiltration systems and dig a huge ditch, you put the pipes in and then have a collection basin, it runs in and filters through these pipes and then it seeps out into the ground water. It's all calculation based on impervious surface, the number of feet, size of the system, etc. It is keeping the majority of the water of this lot flowing into a contained area as opposed to just a natural flow to wherever it chooses to go and then also controlled flows out as well. The ditch runs across where a new pipe would run underneath the driveway. The bulk of the water comes from the farms where it dumps in and the pipe shoots off the water downward.

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Mr. Maxfield said this is a no carbonate geology section, there are sinkholes and he asked if the ground has been tested for infiltration. He said if the infiltration can work, that would be great.

Mr. Feinberg said they will be back to Council tomorrow night. Mr. Tralies said they will need a variance. Mr. Feinberg said they are allowed 11% and are encroachment about 86%. This will be a nice, attractive bank, a drive through. They are trying to address the concerns to infiltrate these waters, and provide sediment control. Mr. Johnson asked if there was any water flowing through when there's no storm rain going through? Mr. Feinberg said he doesn't believe so. It's not a natural waterway. Mr. Durholz said there is no flow, it's just when there is a storm. None of the US GS maps designate this as a waterway. Mr. Johnson asked if it was a storm drain or an inlet to a culvert that goes under the road so there is some flow down through this area into the culvert or is that a drain? Mr. Durholz said it's an inlet and it comes to an open pipe.

Mr. Feinberg said the owner's desire was to put something nice there, and the bank fits. There's some billboards which he could relocate and he even mentioned maybe putting a "Welcome to Lower Saucon Township" sign at the junction. He has the best intentions to clean it up. It will be a very attractive bank drive through and it can service people.

Mr. Johnson asked about the lighting and whether it will disturb residents or neighbors. Mr. Maxfield said you are going to have the Agentis car wash across the street. Mr. Feinberg said this will go to Planning and it will be addressed there. A lot of lighting codes are very strict.

- MOTION BY:** Mr. Maxfield moved for recommendation of encouraging planting in the wetland area be native, encourage a maintenance agreement and carbonate geology testing be done to make sure that the infiltration system is appropriate for the site.
- SECOND BY:** Mr. McCormick
- ROLL CALL:** All in Favor: Yes
Opposed: None

IV. OLD/MISCELLANEOUS BUSINESS

A. LANDOWNER MAILING PACKET

Mr. Maxfield made a short list of things the EAC may want to include. Some we have already, some we don't. We want to include riparian information, EAC brochure, lawn chemistry, recycling information, hazardous waste. If the property that we are sending this out to is being conserved, we should include a resource description of the site with the restrictions and setbacks associated with their site. These packets were to be multi-use, so Mrs. Yerger said at one time we could send them out with occupancy permits. If someone is buying a property that has 10 to 20 acres, you might want to give them a basic description of what resources are on the site. Mrs. Yerger said the conservation easement runs with the baseline of the property, it doesn't run with the owner. They should be getting that when they purchase the property. Mrs. Yerger said she's not sure we have the expertise to do this and she has concerns about this as we are going to highlight things and possibly add or eliminate things. Mr. Beardsley said if you purchase a piece of property that has a conservation easement on it, make sure you are familiar with what you can do and what you cannot do with the property. Mr. Kaye said could you mock up something and that way everybody could take a look at it. Mrs. Yerger said she doesn't have the time to do it. Mr. Maxfield said he will write it up. Mrs. Yerger said it's policy that he's having problems with.

Mr. McCormick asked how many conservation easements have been granted in the townships? Mrs. Yerger said two or three. Mr. McCormick said he's having trouble understanding if it's two or three, is this an issue? If he's going to conserve his land, and has to give \$5,000 to Wildlands if he wants them to protect his land and he has to make that donation, and then there's only three

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protected properties in the whole township, one of them you are telling me a buyer totally disregarded the terms of the binding easement, what are we talking about. It's not a bad disclosure, it's about a broken program. Mr. Maxfield said they did it before the easement went into place. Mrs. Yerger said ordinances and easements are two different things. Mr. Maxfield said all he said was a resource description of the site. He didn't say explanation of the easement. You have trees, these ordinances apply. Mrs. Yerger said if it's an ordinance issue, then it should be anybody who has trees on their property. Mr. Maxfield said this is something telling someone that has conserved property that there are ordinances that are associated with this property. Mrs. Yerger said it almost seems to her that you are getting stricter with the property owner. You are making sure they comply with the ordinances. Most conservation easements that she's written are very strict about what you can and cannot do in a woodland. Mr. Maxfield said we might want to do just a simplified ordinance.

Ms. Ray said this can be put on the website and in the newsletter.

Mr. Maxfield said in the information packet, we could also include standard information about septic, brochure on habitat, small statement about Lower Saucon Township and about the EAC and explain what the EAC is all about. Mrs. Yerger said it has a lot to do on how you present the information packet also. Don't put a lot of "do" and "don't" in it. Ask for a partnership with the landowner.

Mrs. Yerger has a brochure, "The Woods in Your Backyard" which was designed for people on how to maintain their land. A note could be put in the packet saying the landowner could buy this book.

Mr. Maxfield will put together a mock packet and will distribute it at the next meeting.

B. REVIEW AND APPROVAL OF FEBRUARY 6, 2007 MINUTES

Mr. Johnson said on page 1, line 5, it should say Mrs. Yerger presiding, not Mr. Maxfield presiding. On page 2, line 41, put "downstream from the Saucon Valley Golf Course and resurveyed by FEMA". Page 4, line 26, "have suggested is", take out "is". Page 7, line 20, "Protocol is we go through Council and Council will could recommend it as we", take out "will".

MOTION BY: Mr. Maxfield moved for approval of the February 6, 2007 minutes, with corrections.
SECOND BY: Mr. McCormick
ROLL CALL: All in Favor: Yes
Opposed: None
Abstained: Mr. Hijazi

V. UPDATES/REPORTS

A. HELLERTOWN REPORT

- Mr. McKenna said there was a big fire last week. One of the tenants said they heard a loud noise coming out of the heating system. There is no report of what started the fire yet. Everybody came together and no one got hurt.
- They were notified by PennDOT about the resurfacing of Easton Road in 2009. They will seek storm water repairs on Easton Road. There will be total milling and regrading. They are dealing with DEP on solutions. There will be catch basins put there also. They are going to seek grants.
- Rezoning of Abe Atiyeh property – it's by the Citgo Gas Station and the SV Manor. He came to Borough Council last night. It's an old property and they are proposing to level it

and put 10 townhouses there. They need to request a variance as it's a light industrial area in that section. The Planning Commission did turn it down.

- The next couple of months, he will not be able to serve as Hellertown Liaison. Terry Booth will take his place. He'll bring Terry along to the next meeting and introduce him to everyone. Mr. Johnson suggested putting "Hellertown Report" at the beginning of the meeting. They will leave that up to Terry and see what he wants to do.

B. OPEN SPACE SUBCOMMITTEE

Mr. Beardsley said there isn't a whole lot to report. It's still in its infancy. Jim Severn is interested in preserving property. He lives in Lower Saucon. There are 15 acres in Lower Saucon Township and five acres in Williams Township. He has some complications with brothers and sisters. It's a family property. His parents live there now. He wants to buy it from his parents and put a conservation easement on it. His brothers and sisters are looking to get some money out of it for their inheritance. It's a little complicated. He's not in a great big hurry to do it. He was invited to come to a meeting and see what we are all about. Next meeting there will be maps so we can see where this land is. Mr. Beardsley should call Mr. Severn back and tell him to start thinking about what the conservation values of this property are. What's there that should be preserved? What's the reason for doing it? Mr. Beardsley will give him information about conservation easements. Mr. Johnson looked up the land on the tax parcel and showed everyone. It does butt up to a development in Williams Township. Mr. Maxfield said the Severn entrance is off of Lower Saucon Road. It's a very long dirt road driveway. Mr. Johnson said there are two parcels that show up under his name. The second one is four acres. It has Lower Saucon Road, but doesn't give an address. Mr. Beardsley said the piece in Williams Township is separately deeded.

Mrs. Yerger said if the land is landlocked by a big development, she doesn't know how interested they would be in it. The three people on the Sub Committee (Tom McCormick, Ted Beardsley, and Allan Johnson) will walk the property.

Mr. Johnson asked about the Hellertown Water Authority land in LST, could fit into our preservation plan? Is their land preserved forever or is it just that they own it and they could sell it someday if they wanted to or what's going on? Mr. McKenna he doesn't have an answer, but he will find out and bring it back to the next meeting.

VI. NON-AGENDA ITEMS

- Bob Davis said at one of the meetings it was talked about contractors getting rid of trees. He went into websites and he got real dollar values of what a tree is worth. There are basically three ways to evaluate the value of a tree – the cost approach and there are formulas for replacing them, environmental pollutants, and the effectiveness of the CO2 absorption and shading, to a dollar value on the trees. There's an income approach which is the crop type value...some people raise Christmas trees, things of that nature...what is the value of them as well as what is the value of the wood in that tree would be as a value itself. It's very simplified that most insurance claims from civil damage and issues of that nature give a flat \$500 per tree. IRS also bases some deductions and some estimation of things like that. At the end, he put some of his sources. The value of this is if we come across the contractor and somebody that is going to get rid of a lot of trees and we want to make some suggestions or do an offset, this gives us enough information to give us a true dollar to what it's worth. He can go further and do a calculation of the species of trees, etc. EAC suggested to put it on the website.
- Mrs. Yerger had some FYI's. There is a LV Ag Summit on March 14, 2007. Anyone wants to go, let her know.
- Mrs. Yerger said there's a "Wind and Community Planning Summit" on Tuesday, March 27. If anyone is interested, let her know.

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- Mrs. Yerger said on Saturday, March 10 is an EAC workshop. Let her know if you are interested in going.
- Mrs. Yerger said the electronic recycling is on April 14. Anything but TV's.

VII. ADJOURNMENT

MOTION BY: Mr. Hijazi moved to adjourn. The time was 9:15 PM.
SECOND BY: Mr. Maxfield
ROLL CALL: All in Favor: Yes
Opposed: None

Next EAC meeting is Tuesday, April 3, 2007.