

I. OPENING

CALL TO ORDER: The Environmental Advisory Council meeting of Lower Saucon Township was called to order on Tuesday, March 13, 2012 at 7:03 P.M., at 3700 Old Philadelphia Pike, Bethlehem, PA, with Sandra Yerger, Chairman, presiding.

ROLL CALL:

Members: Chair, Sandra Yerger; Vice Chair, Tom Maxfield; Ted Beardsley, Colin Guerra, Allan Johnson. Laura Ray arrived at 7:09 pm. Absent – Tom McCormick. **Associate Members:** Mrs. Yerger welcomed Hazem Hijazi back. She said he was reappointed last week. Hazem Hijazi and Dru Germanoski; Absent – Glenn Kaye; **Planner:** Karen Mallo –Absent; **Hellertown Liaison:** Terry Boos – Absent; **Jr. Council Member:** Vacant; **Solicitor:** Terry Clemons; **Open Space Consultant:** Laura Baird

PLEDGE OF ALLEGIANCE

II. OPEN SPACE SUB-COMMITTEE

A. PROPERTY UPDATES

1. DISCUSSION WITH TERRY CLEMONS AND LAURA BAIRD ON CONSERVATION EASEMENTS

Mr. Clemons said they met with Council two weeks ago concerning the Wassergass properties. The Council authorized him to meet with Mr. Marson to discuss whether he would be willing to share the portion of the appraised value attributable to him with the others in order to get them up to a point where they would agree to put an easement on the entire property. Mr. Beardsley has scheduled a meeting for this Thursday and he would like Mr. Clemons to attend. They will take that back to Council.

Mr. Clemons said concerning the Martin property, Council authorized him to make an offer of the full amount of the appraised value which was \$160,000.00. He did that and Mr. Martin said he wasn't going to make any decisions until he had an opportunity to review the appraisal. In most of the Township's Mr. Clemons represents, they don't share that appraisal with the property owner; however, Council did advise him to share the appraisal. He sent it to Mr. Martin last week and called him tonight and Mr. Martin acknowledged he received it, but hasn't had an opportunity to review it. He said he would look at it within the next ten days and get back to Mr. Clemons.

Mr. Clemons said we are waiting for a conservation easement plan for Benner and we should be able to schedule settlement. Ms. Baird said do we have an idea when that will be done as they want to do the baseline, contingent on that. Mr. Clemons said they've made Hanover abundantly aware of that. They've solicited the Manager to make them aware of that. Did anyone say anything to them after the Council meeting? Mr. Maxfield said none of the consultants were there, so they didn't address them directly. That really needs to happen. We said ASAP when we assigned it to them, and this can't be ASAP as it's pretty slow. Mr. Clemons said his point is there's a limited amount of things he can do as a consultant, but as Council, there is something they can do. Possibly, Leslie and/or Jack are on this, but we need to keep reminding them. Mr. Maxfield said he'll put a call in tomorrow to them. You can't blame weather as it's been beautiful outside. He doesn't know what the holdup is, but they'll find out.

Mr. Clemons said Ms. Baird wants to talk with you concerning a map in terms of going after some of the properties. Ms. Baird said at the next EAC meeting, bring a map of all your preserved properties, and look at connectivity. The properties we have before us, some are not the most favorable, but let's start looking at what makes sense in terms of connectivity and which properties this Committee would like to see preserved and maybe we can proactively contact landowners to see who would be interested. Mr. Hijazi said that's a good idea. Can we see a map with all the preserved properties? Mrs. Yerger said Chris Garges made one up.

Mr. Germanoski said at one of our meeting we talked about the Benner-Whitmore property and the Chuck property that was adjacent, so the connectivity would be huge. It looks like we must have missed out on that one as it shows "under agreement" on the "For Sale" sign. Mr. Clemons said he contacted the realtor a month ago. He told him the Township was interested in acquiring an easement on the property. He explained that Virginia Chuck is an older woman who is no longer living in the home and she would need all of the funds from the sale of the property to look after her in her old age. He said for the Township to purchase it outright, we would have to get an appraisal. Mr. Clemons asked the realtor if he had any problems with that, and he said no, but he needs a written proposal from you for that. Mr. Clemons took it to Council and before Council could act, that was the day the sold sign was on the property. Since then, he called and left another phone message with the realtor, and suggested that these deals have a way of going south and he still wanted him to know that Lower Saucon Township is interested and he would like an opportunity to talk to him about our interest even though there is an apparent sale. He doesn't have any more information than that. There are a lot of things that can go wrong in a deal like this. If it's a cash deal, that's one thing, but if it's contingent on getting financing, that's another issue. If it's contingent on getting subdivision approval, that's another complication. He wanted to get a read from the realtor as to what some of these conditions might be. He doesn't know if the realtor will share with him the ideas, but he does have a call into him. Mr. Beardsley said we don't know what the new buyer wants to do with the property so maybe he's willing to put a conservation easement on it and we can show up at settlement with some of the money. Mr. Clemons said that's another communication worth having.

Mrs. Yerger said it's a good idea if Ms. Baird comes next month. Mr. Maxfield said they will have big maps for her.

Mr. Maxfield said the maps with the preserved areas, do you want any additional information like resources or environmentally sensitive areas? Ms. Baird said yes, environmentally sensitive areas which would include waterways, wetlands, steep slopes, prime ag soils. Mr. Maxfield said we can get a couple of different and layer as we need. Ms. Baird said we can have several maps and fit in pieces. That's how Springfield Township has been so successful creating these large contiguous areas of protective land, and we can do the same.

Mr. Hijazi said appraisals are not shared with landowners? Mr. Clemons said it's a policy question. It's like if you are not offering 100% of the appraised value, and the property owner knows the appraised value, you are sort of giving away a negotiating point. Our appraisal in Lower Saucon tend to be on the low side and we tend to be offering, in the cases he's been involved in, the appraised value. There is at least that reason it's all right to share them. He doesn't like to get into the second guessing back and forth, and that's the reason there's no legal requirement, but those are the reason one might not want to share the appraisal. Mr. Beardsley said he thought you had to offer the appraisal. Mr. Clemons said no, your appraisals are influenced by your assessment of how many lots can be subdivided out of a property. Other Townships and Springfield is one of them, just turn the appraisal loose and ask what is your appraised value. However, that Open Space

Committee down there has a policy that it will not pay more than a certain percentage of the appraised value unless there is a match that comes in from the County, from some other source. We're in a better position in Springfield Township to have that happen as there's a natural areas program there. There's bond money that's been committed by the County to do that. There's not a one size fits all and he thinks the way Lower Saucon is doing it is fine.

Mr. Beardsley wanted to ask Springfield Township how they balance the natural resource value compared to the development potential of properties you want to get a conservation easement on? Mr. Nilsen said they have an evaluation sheet they go through. Hans is one of the people who walks the property. They walk it and score it, and look at it. They also have areas they have targeted that they'd like to preserve. It's a combination between those. He joined the Committee after that scoring of the property was laid out.

Mr. Johnson said if a property had no development potential, could you still come up with a dollar value? Mr. Nilsen said sure, very much so. Mr. Clemons said you are asking two different questions. One question you are asking is would it rank. One of the problems they are finding throughout Pennsylvania is properties will rank very highly for natural resources preservation because BOG turtles and sensitive features, but when an appraiser goes out and looks at it, an appraiser is basing the value not on the natural resource value, but solely on its developability. Mr. Johnson said that's why he asked the question and Mr. Nilsen said he could come up with a dollar value if it has no development potential. That's what he's asking. Mr. Nilsen said they don't come up with a dollar value. They come up with a point value. Mr. Johnson said so you can't come up with a dollar value? Mr. Nilsen said they have to go with the appraiser. They come up with a percentage. Unfortunately, they all have the same issue of it is what it is of the appraiser. They used the appraisers and they have percentages against that. Typically they go 65% of appraised value, and right now they are capped at \$9,000.00.

Mr. Johnson said if the appraiser said there's no development value in this property, then you couldn't acquire it as it doesn't have any cash value? You can't come up with a dollar value? Mr. Clemons said with a conservation easement? Mr. Johnson said yes. Mr. Hijazi said if there's no value, then it can't be developed, why would you want to acquire it? Mr. Johnson said that's the big question. Mr. Clemons said it is, and we have been going through this with the Wassergass Road properties obviously because Lower Saucon looks at, in a very realistic way, whether there is development potential and in the case of Wassergass, they said the back lots have no development potential and you'd be wasting your money to have an appraisal as it will come back zero. What they did, and he thinks it has a lot to do with this Committee, is to look at these as a consolidated parcel because developers consolidate parcels. Then we got an appraisal of the entirety as consolidated and then Mr. Marson's property as a stand-alone property. There are those kinds of problems that come up and there's one State program that does assign a value that is not based upon the appraised value.

Ms. Baird said that's a Federal program. It's specifically if you have BOG turtles on the properties. It's very, very restrictive. Last year in Bucks County they were giving \$22,000.00 an acre. Mr. Clemons said he hasn't seen them sign a check for \$22,000.00 an acre. Ms. Baird said they couldn't find any BOG turtles on non-preserved properties. In Northampton County, it's a different value and it might even be about \$9,000.00. Mr. Nilsen said he doesn't know about Northampton County, but in Lehigh County, half a mile from the Bucks County line, it was \$7,200.00. In Bucks County if you had BOG turtles on there, it was at \$22,000.00. He doesn't know the number, but he's been told it's increased this year. Those programs have a 5 to 1 ratio, so if you have one acre of wetlands, you can do an additional 5 acres of surrounding the wetlands in that same program, and obviously,

there are restrictions involved in all of that. When you do the numbers, and if you were planning to sit on a nice little estate back in no-man's land, you would wish you had BOG turtles. Mr. Clemons said it's only of the habitat. If you've got 100 acres that has 20 acres that are either BOG turtle infested or BOG turtle potential habitat, then you might get that \$20,000.00 on 20 acres. Ms. Baird said it's not potential, you have to find them. They went out on many different properties, all at different times last year, with the National experts and they couldn't find any habitat on prime properties that weren't yet preserved. They are happy on properties that have been preserved. As of now, they are ready to start in the next couple of weeks.

Mr. Clemons said what would be a good thing because the Second Class Township Code says that a township purchase of an interest in land has to be based on the appraised value. He doesn't see the Second Class Township Code getting changed. If it were changed to permit it to have some other recognized method of valuation, then you could pay more, but right now, that's what the Code says and that's what they have to go by. Ms. Ray doesn't the Code go by the population? Mr. Clemons said the Township goes by the population. Mr. Maxfield said for what we are, it's not going to change us. We'd have to gain significantly. He thinks we are still okay.

B. DISCUSSION WITH JIM NILSEN – SPRINGFIELD TOWNSHIP OPEN SPACE COMMITTEE – HANS REIMANN PROPERTY

Mr. Clemons said the Hans Reimann property is both in Springfield Township and Lower Saucon Township. Laura Baird got this property lined up for a DCNR grant and she will explain the project.

Ms. Baird said she has a map of the Hans Reimann property. The total property acreage, according to the deed is about 14 acres. It has not been surveyed yet. Approximately 6 acres are in Lower Saucon and the majority is in Springfield. As you can see from the aerial photo, the majority of the property is wooded and it contains headwaters of Cooks Creek, some wetland areas, and some rare and threatened species on the property. This property is not directly adjacent to anything preserved yet, but it's in close proximity if you were to look to the northeast, Laura Ray's property would be up there. Looking down to the southwest, is the Mease Farm. Both of these we had talked about earlier being joint preservation areas between Lower Saucon Township and Springfield Township, so we come to you again with this property. As far as trying to fund a conservation easement for this property, we are looking to apply to Pennsylvania Department of Conservation Natural Resources. Their application round is April 4, 2012. We already brought representatives from DCNR out to look at the property and look at it as a potential project. Understanding it may be of a smaller acreage than it usually is, because of the natural resources on the property, it is one that they would look favorable to as an application. What we are coming to Lower Saucon Township with tonight, we are running some numbers on how we can work on this project jointly.

Ms. Baird said Mr. Jim Nilsen, Vice Chair and Co-Chair of the Springfield Township Open Space committee will go over the breakdown of numbers. We don't have an appraisal done yet. That is currently in the works, so we have estimated figures for the conservation easement value, but as far as project costs, like appraisals, surveys, things like that, Jim will go over those.

Mr. Nilsen said they have a gentleman that works with them in their group, David Long, and he is their numbers man. They sat down and it's DCNR, and the other half is natural areas through Bucks County. It's a combination of those two that will be funding the project. Mr. Johnson said they looked at this project a couple of years ago and figured out it was about three acres in Lower Saucon Township. Mr. Nilsen said going over the survey maps and aerial photos, they come down to 8.4 acres in Springfield and 5.6 acres in Lower Saucon. Mr. Johnson said he has a difference of opinion. Mr. Nilsen said the opinion is going to be when it gets surveyed. Everything is

subjective. The unknown factor is the actual amount and there's a tax implication on this one when it's all said and done. The surveying is going to lay it out. What they are looking at is how do we go about dividing up the soft costs. It will be minimal for both of us. They had the gentleman out to do the first appraisal. Typically we look at \$2,200.00 and you can see how it lays out. DCNR is looking at \$1,100.00. Bucks County obviously pays for none of that. The landowner has no issue on that. Going through the second appraisal wouldn't happen until we are actually ready to move forward and that is assuming that DCNR approves it and Natural Areas. We have a lot of assumptions going on, but everyone at Natural Areas has been out and has given them a favorable review on it as DCNR. The numbers kind of play out here and we used some of the basic information on top to lay out what the big picture is and how the numbers will run.

Ms. Baird said looking at the property as a whole, DCNR will fund up to 50% of the conservation easement, so we are looking at DCNR to as a whole to fund up to 50% of the conservation easement for the portions in both townships. Bucks County Natural Areas program to fund 50% of the portion that is in Bucks County. The other 50% to match the DCNR funding in Lower Saucon will be a landowner donation of a partial bargain sale. Mr. Nilsen said that's what they wanted to talk to you about to see if your township would be willing to kick in, in reference to the portion what is in Lower Saucon, the other half or portion of the half that is being DCNR. DCNR is going to do half in this Township. Would this Township be willing to put money in besides soft costs if that is consideration? That is something that is on the table for you to consider. Regardless of that Township stating you will be supporting the soft costs, and using the spreadsheet as an understanding of the baseline of where they are coming from.

Mr. Clemons said as he understands it, the Open Space Committee of the Environmental Advisory Council can make a recommendation to the Board and could adopt a resolution supporting it. The Council itself would be the body that would commit to whatever payments are made. He's only raising this as he's not sure what you need in order to submit the DCNR grant. Ms. Baird said they would need a resolution. The way the DCNR grant would work because the majority of the land is in Springfield Township, Springfield Township will be the applicant; however, because the portion in Lower Saucon, Springfield can't hold an easement on that. Lower Saucon Township will have to, so Lower Saucon needs to be part of the application and they need Lower Saucon's commitment on sharing a portion and however you want to lay that out depending on what the final acreage comes out to be, but you will share in a portion of the soft costs.

Mr. Clemons said it sounds like you would need a recommendation from this Committee to the Council of Lower Saucon Township to fund a share of the soft costs as shown in this exhibit and you are looking for a recommendation from the EAC to the Council as to whether it would fund also a portion of the purchase price for the easement in Lower Saucon Township that will not be funded through a grant. Springfield Township will also need a resolution. Mr. Nilsen said this is probably happening as you are speaking as their Township is meeting right now.

Mr. Reimann said when Ms. Baird spoke about the donated value of the conservation easement up here in Lower Saucon, he believes the application made to both Townships first, more importantly up here, he wants you to understand it was 30% donation, not 50%. He's sure it's in the paperwork. If DCNR came through with 50% of the value, and he donated 30% of the value up here, then 20% would be the value that would be expected per acre.

Mrs. Yerger said Council already approved a sharing of the first appraisal. That portion has already been done. We took that to them awhile ago. It will be in direct proportion to whatever lies in Lower Saucon. If these numbers change a little bit, they understand that. That part is done so far. The rest of it would follow suit again according to the portion of acreage, and you can see that the soft cost total would be roughly \$7,000.00 for Lower Saucon. She's talking strictly soft costs. Mr. Nilsen said \$7,600.00. Springfield Township has laid out about \$11,400.00 and this is under the assumptions of the acreage and getting appraised value of \$6,000.00 per acre.

Mr. Maxfield said do you have someone set up to do the survey already? Mr. Nilsen said they do not have anyone at this point.

Mr. Clemons said what Springfield Township does pretty much is its Township Engineer, C. Robert Wynn Associates prepares the conservation easement plans. It doesn't make sense to have two surveyors doing this, and perhaps again, that's going to be a question for Council. You may want to ask Council to authorize the sharing with the understanding that the Springfield Township Engineer will do the survey. You might get it a little faster that way.

Mr. Maxfield said for us, not any problem for Springfield, but we should go back and look once again at the Open Space Committee's review of the property and make sure everything is solid. Mrs. Yerger said we don't have time. What's going to happen is you are going to need to take this to Council next week because the grant application is due April 4th. Mr. Maxfield said then let him make the recommendation that the Open Space Committee look at the review they did and come to that meeting ready to answer any questions that may be asked. He doesn't remember what the end recommendation was as things have changed so much since then. At that point, it was just them looking at Hans's property and then there were different resources found since then. We need to review it and if there are any questions, we need to be ready to answer those questions.

Mr. Nilsen said to add to that, within their Open Space Committee, they struggled with the property for two reasons. One it is a member of their committee, so that was always a concern and they wanted to make sure everything was 100%; and technically speaking, the size of the property was an issue. They started taking a look at the overall resources out there and how they could make this digestible for everyone. Coming up with the DCNR grant, Mr. Reimann is of favorable opinion of having open space public access on his property. They've had other properties brought to the table within the Township, and that's always been a deal breaker. He doesn't know how many properties you deal with that have right out open access, so this is the one favorable part they are able to go through. To his knowledge, it's going to be the only property in their Township that they are going to have that type of easement on.

Mr. Reimann said anyone who knows him, that's part of his dream from the beginning to have an environmental education center open to the public. This will help fulfill that dream. The sciences behind him now with the endangered plant and the recognition, he thinks helped the Supervisors in Springfield also.

Mr. Clemons said to Mr. Maxfield's point, when you look at your reevaluation sheet as the EAC of Lower Saucon Township, you need to look at what priority you put on its developability because there are folks that are going to say it probably doesn't have a high exposure to development; however, when you look at the natural resources, and he doesn't have that evaluation in front of him on that property, that's probably going to be something you are looking at towards the max end of this because it is on the mountain and has important resources. He also thinks that in terms of Council, Council may look at this as truly a natural resources protection conservation easement, and they are going to likely wrestle with the question, can it be developed and that sort of thing. He thinks you have to realize what it is as it's going to protect the natural resources on this side which will turn out for Lower Saucon to be a rather modest amount in the scheme of things.

Mrs. Yerger said she's pretty much done the math here and at 20% of the estimated easement value of \$72,000.00, it comes to \$14,400.00 for the 5.6 acres and that's basing it on the higher acreage. We'll go with that for now. There is \$7,600.00 for soft costs, so we're looking at \$22,000.00 as the expense for the Township for 5.6 acres, and that's what we're basing it on at this point. She agrees with Mr. Clemons that it's strictly a natural resource protection project.

Mr. Reimann said the interesting part of this property, speaking about what Mr. Clemons was talking about the portion in Lower Saucon, actually the concentration of the hydrological and the

Environmental Advisory Council
March 13, 2012

botanical resources are in the Springfield portion as well as the building envelope. The upper part is actually in Lower Saucon is the most developable. He's had offers for folks to buy that land, which he camps on right now. It's a very flat spot. You can't tell that from the map. You'd have to look at a topo. There's a two to three acre spot that's as flat as a pancake and you'd never know it was there. He mentioned that to Mr. Palmer, the appraiser. That's a point he wanted to make that the Lower Saucon part is more developable.

Mr. Clemons said Hans thinks this property could be split into two lots? Mr. Johnson said what would you use for access to the upper flat area? That was their question for developability. Mr. Reimann said he would simply have granted an easement for a driveway. It's that simple. Mr. Clemons said it's not that simple. You'd have to have a lot at the Township line, so it's not an easement, the question would be can you create a flag in Springfield Township of sufficient dimensions to extend into the back part to create a flag lot. He doesn't know, but it may well have that potential and he doesn't know how much road frontage there is there. Mr. Maxfield said does anyone know what you would require for frontage in Springfield? Mr. Clemons said he's not sure as he doesn't have the ordinance with him and he's not sure what zoning district it is. It's probably 200' to 250'. Mr. Reimann said it's 440'. Mr. Maxfield said it's very likely that the potential is there. Mr. Clemons said with a lane lot, you have to have enough left and 50' to go back. Mr. Maxfield said okay, that will answer some further questions.

Mrs. Yerger asked if there was a motion to this request? Mr. Beardsley said he will make the motion. Mr. Nilsen said everything they are doing is in preference that DCNR and Natural Areas of Bucks County are both accepted; essentially, if either one of those don't come through, then it falls apart. There are a lot of assumptions made and those are the two key players. We'd be asking if Lower Saucon would be willing to come through with the 20% within Lower Saucon and 30% would be a donation from the landowner.

- MOTION BY:** Mr. Beardsley moved that he EAC recommends to Council that we partner with Springfield Township based on the information that's been presented to us at this meeting and consider a conservation easement for the Reimann property, the portion that is in Lower Saucon Township and that the EAC asks specifically that Lower Saucon Township address the soft costs by Resolution and share the soft costs of appraisals, survey and title work. Also, Lower Saucon Township participates with 20% of the appraised value of the portion of property that is in Lower Saucon Township.
- SECOND BY:** Mr. Guerra
- ROLL CALL:** 6-0 (Mr. McCormick – Absent)

Mrs. Yerger said the Open Space Sub-Committee needs to review and pull your sheets. If you need them, Diane can send them to you. This needs to go before Council by next Wednesday. She asked if the Sub Committee would be available next Wednesday if need be? Mr. Beardsley said he can be available.

Mr. Johnson said how did you come up with the 5.6 acres? Mr. Nilsen said they got that by utilizing the USDA soils map and they overlaid the GIS they have in their Township with that. That's how they came up with the acreage. Mr. Johnson said how did you determine where the County line was? Mr. Nilsen said they didn't have to determine anything, the GIS has it already. They have the information that was supplied to them through Bucks County in which they paid a fortune for. They are actively using the GIS for doing work within the Township. Mr. Johnson said it was his job to come up with a number when they looked at this property and he scaled it from maps and things like that. Mr. Maxfield said we are going to know soon. Mr. Nilsen said they just pulled off what it told them electronically. Mr. Johnson said you have to know where the corners are and the GIS doesn't know where the corner is. Some other map that the County came up determined where the corners were. They have the same problem in Lower Saucon Township with the Dravec property. Mr. Nilsen said when he preserved his through the County and State

they had to make corrections through the deed. That took an extra seven months. All he needs is a resolution coming from Lower Saucon's Council.

III. NEW BUSINESS

A. DISCUSSION ON FEMA FLOOD MAPS

Mrs. Yerger said there is a sample of the flood maps. Apparently, FEMA is updating their flood maps and she is assuming they have expanded the floodplains on some of the regions in Lower Saucon. The East Branch of the Saucon is one of the predominant areas that they have put changes on. There's a section listed as "new" which is Polk Valley Run. She's assuming Polk Valley Run has been flooding now as opposed to having not flooded in the past. Ms. Ray said does it really flood or is it at Hellertown where it floods? Mr. Maxfield said it used to flood behind Springhill Shopping Center, and he doesn't think it floods up higher. Mrs. Yerger said that's why she was confused. Mr. Johnson said it floods but there is nobody there to complain about it as it's in the middle of the boondocks. There's a floodplain adjacent to the creek, but it's not near any houses or anything like that. He thinks that's what that means. Mr. Maxfield said the properties by Polk Valley Park, it used to come up in the yards there, so it's probably still coming up a little bit higher than it did before. It's yards, cornfields, woods and wetlands. Mrs. Yerger said she's assuming we are going to adopt this as a Township as guidelines. Mr. Johnson said this is preliminary. Mrs. Yerger said when it's final. Ms. Ray said what are the changes there? Did they make it wider? Mrs. Yerger said if she looks at the East Branch, it looks like they have increased the size of the flood plain on either side. Mr. Maxfield said this may have implications for people who live on this side of the river in the Kings Mill Development and may limit what they can do on their property. He wonders how we can get this out to the public for people who own property? Mr. Hijazi said we could put it in the next newsletter. Mrs. Yerger said that's a good suggestion. Mr. Guerra said we can post it on the website also. Mr. Maxfield said he's guessing some people's houses are in the floodplain now that weren't before, so probably their insurance companies are contacting them also. Mr. Beardsley said the mortgage companies are now saying if the floodplain changes, you are required to get flood insurance. Ms. Ray said how would these people know then? Mrs. Yerger said we really should let them know. Ms. Ray said it should really be put on the website. Mrs. Yerger said she agrees it should be also put in the newsletter. Ms. Ray said she never gets a newsletter. Mr. Maxfield said that's why it should be on the website also. Mr. Guerra said this is happening in the whole country. Mr. Boos said on March 22nd there's a FEMA floodplain presentation at the Borough Hall. Mr. Maxfield said he doesn't know if the Township is having any here.

MOTION BY: Mr. Maxfield moved that the EAC recommends to Council that the Township put in the newsletter a notification saying that the floodplain areas have been remapped and that people may be affected and that the map can be accessed on the website so people will know where to go and look.

SECOND BY: Mr. Beardsley

ROLL CALL: 6-0 (Mr. McCormick – Absent)

IV. DEVELOPER ITEMS

A. SCENIC VIEW APARTMENTS PRELIMINARY/FINAL LAND DEVELOPMENT #LD 01-10 – REVISED PLANS – 2012 SCENIC VIEW LANE

Mr. Maxfield said this is just an update from the last review. Mrs. Yerger said we have the two recommendations from the EAC from previous meetings. We have not supported this plan because it's in the headwaters of the one branch of the Cooks. It does increase the impervious coverage beyond the permitted amount. He needed a variance through the Zoning Hearing Board. There was also a waiver request of SALDO section as he wanted to reduce the amount of plant material.

Environmental Advisory Council

March 13, 2012

Mr. Maxfield said No. 2 says owner will plant the required trees. Mrs. Yerger said that does actually help. He did change the type of vegetation to native. Our first comment was back in October 2010 and then we revised it in December 2010. She's assuming we just want to reiterate as of our recommendation of December 15, 2010. Mr. Maxfield said why don't we specifically cite the plant types. Mr. Hijazi said we should tell him to use native plants. Mr. Maxfield said we can tell him the offenders to get rid of.

MOTION BY: Mr. Maxfield moved that the EAC still recommends native plantings on the site specifically replacing burning bush, barberry, birds nest spruce and juniper with native species, and that the EAC remain opposed to development within the Cooks Creek headwaters because of the excess of impervious coverage.

SECOND BY: Mr. Guerra

ROLL CALL: 6-0 (Mr. McCormick – Absent)

V. UPDATES/REPORTS

A. SAUCON RAIL TRAIL CLEAN-UP

Mrs. Yerger said there is a Saucon Rail Trail clean-up on March 24, 2012. Give them a call if you want to help out.

B. UPPER BUCKS REGIONAL OPEN SPACE ROUND TABLE – MARCH 29, 2012

Mrs. Yerger said we have been invited because we do have sections of the Cooks Creek in Lower Saucon and we have done two cooperative preservation projects with them already. Ms. Ray's property as well as the Mease Farm, and we are supposedly anticipating a third project here. We are welcome to come even though it's being led primarily by Bucks County and their Open Space Coordinator and Rich Harvey the Director of Ag Preservation, we still are partners. If you would like to attend, it is March 29th, 7:00 pm to 9:30 pm and it's at the Trinity Evangelical Church at 2170 Route 212, Coopersburg, PA. Mr. Nilsen from Springfield Township said Bucks County is doing some presentations. This is the fourth time they are doing it and it made sense to invite counties outside of Bucks. Williams Township and Upper Saucon Township are also invited. They are looking to get some good ideas. Jeff Marshall will be doing a presentation and are looking for updates in Lehigh and Northampton County. They also have programs going on at the Federal level, which Jeff Marshall will be talking about. It's just more about sharing ideas.

C. ADOPT-A-ROAD CLEAN-UP – SATURDAY, MARCH 31, 2012

Mrs. Yerger said we are looking for volunteers. Please let Diane know if you are able to come. We usually meet at the bridge. We just spread out and one goes one way and the other goes the other way. The time would be 9:00 am. She will pick up the signage at the Township. She'd like to have at least four or five people to help.

D. NATIVE PLANT SALE DATE, TIME AND PLACE

Mrs. Yerger said normally we've done it on Mother's Day in conjunction with the Saucon Creek Watershed Association. We give the proceeds to the Watershed Association. We've done it at the Farmer's Market on a Sunday. We had some volunteers do it. The problem with Mother's Day, it's hard to get plants that are blooming. She and Terry Boos will go and pick up the plants. They will outreach to the Saucon Creek Watershed Association and do a joint venture. The EAC decided to do it on Mother's Day since it's so nice outside already, the plants should be blooming. The date will be May 13th. Mr. Boos will check with the Farmer's Market to see if the EAC can get a booth.

E. AERC RECYCLING EVENT – PICK A DATE FOR FALL

Mrs. Yerger asked when the EAC wanted to do a Recycling Event. Mr. Johnson said he doesn't think there will be a charge this year as a new law went into effect on January 1st. He hasn't heard anything about it on the news, but we can contact AERC. Mrs. Yerger asked Diane to contact AERC to see if there is a charge and also get open dates. Mr. Maxfield said we should coordinate it with Northampton County.

VI. APPROVAL OF MINUTES

A. REVIEW AND APPROVAL OF FEBRUARY 14, 2012 MINUTES

Mr. Johnson said on page 9, line 4, the first word should be bridge instead of ridge.

MOTION BY: Mr. Johnson moved for approval of the February 14, 2012 minutes, with the correction.
SECOND BY: Ms. Ray
ROLL CALL: 6-0 (Mr. McCormick – Absent)

VII. OLD/MISCELLANEOUS BUSINESS – None

VIII. TERRY BOOS – HELLERTOWN REPRESENTATIVE – REPORT

- Mr. Boos said the Old Reinhardt school is in the process of being demolished. The “new section”, the taller section is still standing with the steel girders, but everything else is pretty much been taken out. The old original school building is a pile of rubble and that's disappearing fast and they are already getting down to the old foundation. That won't be going for too long.
- Mr. Boos said concerning the Tumminello property, Phase II has an interest in establishing a bridge from the Rail Trail to across the Mill Race to the property and he had suggested to the Borough Manager today to investigate if possibly some of those old beams from the school if they were long enough to be purchased or acquired for stringers for a potential bridge, but that may not be possible as it's in the contract that the contractor has access to those beams. He doesn't know whether it's even feasible if they were long enough. Mrs. Yerger said is the Borough looking at DCNR to apply for a Keystone Grant for the bridge? That would be a project they would probably consider undertaking if you are talking about going from a Rails to Trail and she's assuming the Tumminello property is looking at sort of a park land. Mr. Boos said yes, they are starting Phase I this year. They are going to be installing their parking area, putting rain gardens in, establishing native plant materials, so the natural setting should be pretty well established by the end of June. Mrs. Yerger said the Keystone Grant has been taken out of the budget by our Governor Corbett which has funded parks here in the Township. It has funded parks all over and he's stricken it from the budget completely. That's DCNR, Department of Conservation and Natural Resources. A lot of people in the Boroughs and Townships are very upset about it. Technically, they are going forward with that process to do April 4th. This is where Hans is. There's acquisition and there's park development. Look at the Keystone DCNR Grants get an application in there by April 4th. They are accepting applications. There's talk about funding it other ways, so that's the first part.

IX. NON-AGENDA ITEM

- Mrs. Yerger said she would like to propose for the EAC to ask Council to write a letter to our local representatives saying that we would like to have the DCNR Keystone Grant funding restored to the PA budget. That's how we got Polk Valley Park paid for, a lot of it. It's important on a very broad community level. She doesn't know of a community here that applied and didn't get something from DCNR for this. The beauty of these is they only give you 50%, so it means the

Environmental Advisory Council
March 13, 2012

community must be committed to these projects so they get done. They are very important to both active and passive recreation in our communities. She would like a recommendation.

MOTION BY: Mr. Maxfield moved that the EAC recommends and asks Council to write a letter to our local representatives saying that we would like to have the DCNR Keystone Grant funding restored to the PA budget by Governor Corbett as that's how we got a lot of Polk Valley Park paid for. It's important on a very broad community level.

SECOND BY: Mr. Johnson

ROLL CALL: 6-0 (Tom McCormick – Absent)

X. PUBLIC COMMENT – No public comment

XI. ADJOURNMENT

MOTION BY: Mrs. Yerger moved for adjournment. The time was 8:40 PM.

SECOND BY: Ms. Ray

ROLL CALL: 6-0 (Mr. McCormick – Absent)

Sandra Yerger, Chair