

I. OPENING

CALL TO ORDER: The Environmental Advisory Council meeting of Lower Saucon Township Council was called to order on Tuesday, May 5, 2009 at 7:00 P.M., at 3700 Old Philadelphia Pike, Bethlehem, PA, with Sandra Yerger, Chairman, presiding.

ROLL CALL: Members: Sandra Yerger, Chairman; Tom Maxfield, Vice Chairman; Laura Ray, Secretary; Allan Johnson, Ted Beardsley, Hazem Hijazi, EAC Members. Absent: Dennis Aranyos

Associate Members: Bob Davis has resigned from the Committee because he travels so much. Chiharu Tokura. Glenn Kaye arrived at the meeting at 7:05 PM. Tom McCormick arrived later on in the meeting.

Hellertown Liaison: Terry Boos

Jr. EAC Member: Jessica Null

Planner: Kevin Kochanski – Boucher & James

Mrs. Yerger said we do have a new person who is going to be replacing Bob Davis. He has sent a letter to Jack and he attended last month's meeting. Colin Guerra was present. He said he lives in Lower Saucon for the last 2-1/2 years. He has an extensive background in horticulture and landscaping and he feels he can be very helpful and knowledgeable for the committee. Mrs. Yerger said Colin will officially be appointed tomorrow night at the Council meeting. Colin will fill the term of Bob Davis for this year and then next year we can re-align. The one thing Bob has agreed to do, because of his extensive background in chemical engineering and chemistry, is to review our IPM and our OPM by looking at all the chemicals and the recommendations. He is very happy to do that and we should get his report back next month.

PLEDGE OF ALLEGIANCE

II. NEW BUSINESS

A. DISCUSSION ON WHITETAIL BOWMAN'S SITE

Mrs. Yerger said everyone should have received questions that were received from Jeff Marshall. In the meantime, Laura Baird contacted the township and sort of laid out a proposal for the next step and how it should be handled. Last week we have been approved and she and Jack Cahalan went to the County Council Open Space Subcommittee and we were approved for the \$93,000 match from Northampton County Open Space Program for the Whitetail Bowman's to purchase the easements on that. It will go before full Council this coming Thursday. We are assured there should not be any opposition to it so we can move forward with the acquisition of the easements. We normally pick up the survey and settlement and the baseline documentation. She's assuming that's a policy that we may want to continue to do at the township expenses. Those are the hard costs associated with this. It was just a recommendation and nothing that has been adopted.

Mrs. Yerger asked if everyone had a copy of the next steps that are proposed. These are on how to move forward. They have now been approved by the Northampton County Open Space Council Sub-Committee to send it on to Council as of this Thursday, so we need to keep moving this project forward because they are willing to cut us a check. Part of the thing that is going to happen, because Northampton County is funding half this project, they will be a co-holder of the easements on this property. It is usually in the best interest to use the Northampton County easement language as the base for drawing up the easement agreement between the Whitetail Bowman's and the County and the Township. An exact building envelope needs to be determined with the Whitetail Bowman and the County and the Township, as well. It has to be surveyed out and delineated out on a map. It's been roughly designated. Mr. Beardsley said who needs to approve

that? Mrs. Yerger said when this all goes into the language, it will need to be approved again. That will be part of the easement language, and approved by the township and the county and the Whitetail Bowman again. The easement language is going to have to be agreed upon between the Whitetail Bowman, the County and the Township. The project costs were part of the concern. The question that is being put before the EAC is the way they are proposing it is that Heritage Conservancy's time would be paid for by the township. The survey of the actual property, we are down to where we have to have an actual survey of the property and will be paid for by the township. A baseline is a documentation of all of the natural features that are on that property and will be used in language of the easement as the point of a conservation easement/agreement is that you are preserving the natural features on that property. If you don't record those natural features, then you have no idea in perpetuity of what you are protecting or what should or should not be changed or altered in the future. Settlement cost is the township and then what will happen is Heritage Conservancy, at the request of the Whitetail Bowman Club, will be joining on the easement holding as a land trust beneficiary, as another layer of protection so you will have three holders of the easement and that cost will be paid for by the Whitetail Bowman. Mr. Maxfield said he doesn't see why the township should pay for the entire survey. Mrs. Yerger said that is something you can ask. So you want it township/landowner? Mr. Maxfield said yes. He said what about the endowment cost? Mrs. Yerger said if you go with a land trust beneficiary, there is no endowment. Mr. Beardsley said as far as the settlement costs are concerned, there is no transfer tax. Mrs. Yerger said no. Mr. Beardsley said what settlement costs would the landowner have? Mrs. Yerger said probably just paying the time, the personnel for being there, like our attorney. She thinks the Whitetail Bowman Club would pay for Heritage to be there as their representative and the township will pay our attorney to be there. It would be a split cost that way. We're not looking at large costs. It's recording at the courthouse and those kinds of things. Agreement of Sale – that has to be done ahead of time so you are not surveying it for nothing and paying those costs. Building envelope – that has to be surveyed out as she mentioned before. After talking to Mr. Cahalan, what's going to happen with the title company search, we decided that the township staff was more comfortable to have our attorney do that, so the title search will be done by township attorney or just the township. Baseline documentation is biologist that goes out and they do that. The township does not have a biologist on staff. The settlement costs would be split between landowner and township. Mr. Beardsley said if you are going to split the settlement costs, it should be in the agreement. Mrs. Yerger said okay. She read it back "easement using standard Northampton will be prepared by HC. HC will verify the building envelope with Jay Henn and that's their head person. Easement will be language we hammered out between the County and Lower Saucon Township and the landowner and that has to be done. The cost projection would be Heritage Conservancy staff time as our open space consultants to be paid for by the township. The survey will be paid for by the township. Baseline will be paid for by the township. Settlement will be paid for by the township and the landowner and the land trust beneficiary cost will be paid by the landowner. HC will go on to prepare the agreement of sale. The survey will be ordered by the township and then the building envelope, again, it will be determined for the easement and the abstract company will be contracted by the township, so we will change that. HC will prepare the baseline documentation and then the settlement costs will again be split and added to the agreement that it will be split between the landowner and the township. Does that sound the way we want to go with this? Mr. Johnson said why do they use the term of agreement of sale? Mrs. Yerger said you are selling your development rights. They are being compensated for them. It's a transfer of property. It's sale of the development rights. They own the land but they don't have the right to subdivide it anymore, and there's a value placed on that.

Mr. Maxfield said you talked to Jack about the township will do the title search? Since Heritage is our Open Space consultant, what's the difference? Mrs. Yerger said I don't think it matters. They don't actually do it anyway. It's a title search company that does it so it's a matter of picking up a phone. Mrs. Yerger said yes, and sort of who is responsible for what, sort of a responsibility time

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line too. This way all the bases are covered and everything is done in a timely fashion, and in the right sequence.

Mrs. Yerger said do I have a motion to approve these and I'll give this copy to Jack. The next step is for the Whitetail Bowman property as outlined.

MOTION BY: Mr. Beardsley said so moved as stated above by Mrs. Yerger.
SECOND BY: Mr. Johnson
ROLL CALL: 6-0 (Mr. Aranyos – Absent)

Mr. Maxfield said are we going to recommend that this Wednesday to Council? Mrs. Yerger said yes, we'll take it to Council tomorrow night. It's exciting. This is the first time we got money from the County. It's \$93,000 that they approved and half of the project.

IV. OLD/MISCELLANEOUS BUSINESS

A. REVIEW AND APPROVAL OF FEBRUARY 3, 2009 MINUTES (TERRY BOOS NEEDS TO FILL HIS SECTION IN

Mrs. Yerger said Terry is here and he was kind enough to fill in the minutes of February 3, 2009. We have been putting them off. We will read them into the record. Page 10 of 12 should read as follows:

- ❖ He read in the paper recently about the white nose fungus in bats in PA and NJ.
- ❖ He said it appears that there is significant mortality in the population. Who knows how long until it gets to the Durham bat mine.

Mrs. Yerger said regarding the bats, we do it in conjunction with the Game Commission experts. There are two experts in the state of Pennsylvania that know bats better than anybody she knows.

Mrs. Yerger said it's one of the largest bat mines in eastern Pennsylvania. It houses about 8,000 bats over the wintertime – five species. Ms. Null said is there any way we can keep people out of there? She works at the cave and her boss has a theory that it's entered by people who go exploring caves and get the fungus on their clothing, and then they go into another cave and it establishes itself there. Can we maybe close that off? Mrs. Yerger said it's already been closed off. Heritage Conservancy owns it and they have bat gates on it, which allows the bat to come and go freely and allows nothing else to get into it. They are locked at all times. Normally we do a twice a year inspection in the cave just for the health of the bats and do what we call a bat count to get a handle on the species and the number of bats that are using it in the winter. We usually do it the beginning February and beginning of March. This year we didn't even do it. Their recommendation was to not go in and do a bat count this year so we stayed out, they stayed out. They did go in after April and the bats were no longer in their hibernation, and that's when they are most vulnerable. They went in to check for the white nose syndrome. They were in very quickly, did a quick check on about 75 bats. There was no evidence of it. They got out of there and locked it back up again. Right now the Durham Bat Mine looks clean. Heritage has always operated with a policy that we have never allowed people in it. We have always kept them out just because we had tremendous problems in the past with vandalism and people killing bats and doing all kinds of awful things. We just put the bat gates on and would only allow people from the Game Commission or our biologist in. Maybe that's why we got lucky this year, we'll see and hopefully it will remain that way. She does a lot of the public outreach on the bats. It's one of the most popular topics we have.

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MOTION BY: Mrs. Yerger moved for approval of the February 3, 2009 minutes, with corrections.
SECOND BY: Mr. Maxfield
ROLL CALL: 6-0 (Mr. Aranyos – Absent)

B. REVIEW AND APPROVAL OF APRIL 7, 2009 MINUTES

Mrs. Yerger said do I have any corrections? Mr. Maxfield said on page 7, line 20, should read, “considered the vaulted tank was above ground tank”. Page 7, line 29 should be underground vault. Page 7, line 30 should read “a floor drain.”

Page 2, line 44, should read “a not visit area as time goes on.” Page 6 of 13, line 34 should be “We are looking at every other options to pesticides if you have to apply something”. Page 9 of 13, line 49, should read “Mr. Hijazi said all of you have very good questions,” Page 10 of 13, line 5 should read “He’s really comforted that”. Page 10 of 13, line 6, should say “it’s flat out illegal according to our ordinance”. Get rid of “The opportunity is, that”. Page 11 of 13, end of line 9 should read, under the proposed project area.” Page 12 of 13, line 47, the blank should be “Buroff Plot Plan.” Page 12 or 13, where it says purple, it should be loose strife.”

MOTION BY: Mr. Maxfield moved for approval of the April 7, 2009 minutes, with corrections.
SECOND BY: Mr. Johnson
ROLL CALL: 5-0 (Mr. Aranyos – Absent; Mr. Beardsley – Abstained (wasn’t at this meeting))

V. UPDATES/REPORTS

A. OPEN SPACE SUB-COMMITTEE

Mrs. Yerger said she passed out Len Bilous application. Chris ran a map of his property. It is on 2674 Easton Road. It’s three parcels totaling 90.3 acres. It’s in Lower Saucon Township. Just as an FYI, if you look at the parcels that are over here, there’s 30 acres that already preserved. She explained where the parcels of land were. She said this is also where the Lehigh Valley Planning Commission has designated a very high priority area, Granite Hill. It’s been less designated a less priority area for conservation in Northampton County so this should be, depending on what Mr. Bilous wants, a good candidate for the fall round for some County funding. This is up to you. Mr. Bilous lives in Hellertown, and rents this property out. Someone asked what the big lights were for? Mrs. Yerger said soccer. It has a lot of seeps, vernal pools or seasonal pools. A vernal pool is a pool of water that is usually filled in the early spring, summer, quite often dries up in late summer or fall and parts of the winter. It’s where a lot of amphibians and reptiles reproduce, so they are very important environmentally. When you hear your spring peepers, the tree frogs, that’s where they come from.

For an update, she has a list of all the people who have applied to the Township that are interested in preserving their properties. Some are in various stages of preservation. Mr. Maxfield said he’d like an update at the next meeting of who was contacted and who was not contacted. Mr. Beardsley said okay.

Mr. Beardsley said he, Jeff Marshall and Mr. Johnson met with Mr. Skraban and his wife this afternoon to talk about their property. They came well prepared. They had a whole list of questions and they were good questions about how the easements worked, public access, etc. Based on our conversation with them today, Jeff is going to prepare a draft easement that they will then review and we’ll have another meeting, and then hopefully we can get things mostly finalized. Someone from the township called him and said they were ready to order an appraisal. He said you can’t do that yet as we don’t know what we’re appraising. The landowner has to determine how much he wants to preserve around his house. We have to settle a question about public access and

settle issues about woodlands. He wants to clear some land that had been farmed before and doesn't have any significant large trees on it, so we told him he has to show us where that is. Those things have to be settled before we can order an appraisal. One 10 acre piece he wants to exclude so he can build a house on, perhaps, for his son. He said he's just holding it out of the easement area because he may need to sell it later on because he needs money or his son is going to build on it. Mrs. Yerger said that's not unusual, and we'd rather know this upfront before he puts everything under easement and then three years from now goes oh, I want this back kind of thing. Mr. Beardsley said this one has easy access and it's already a cornfield. It's not like they are going to be taking down trees to build a house. It's ten acres and maybe he can get two lots out of it. It was a good meeting. We had most of the answers for him.

B. PA HIGHLANDS TRAIL CELEBRATION – MAY 16, 2009

Mrs. Yerger said this is a FYI, and there is going to be a PA Highlands Trail Celebration on May 16, 2009 in Riegelsville at noon time.

C. LVPC “PROTECTING YOUR COMMUNITY’S ENVIRONMENT” – MAY 13, 2009

Mrs. Yerger said the Lehigh Valley Planning Commission is holding a workshop. There are two on May 13.

D. MEETING FOR SAUCON CREEK WATERSHED STREAMSIDE OWNERS – RESULTS OF STUDY AND RECOMMENDATIONS – MAY 27, 2009 – 7:00 PM – LOWER SAUCON TOWN HALL

Mrs. Yerger said there was an announcement and this is on Wednesday, May 27 here at Lower Saucon Township hall. Please come to that if you are able.

Mrs. Yerger said she has received a notification for Friday, June 12 from 9 AM to 4 PM for Wildlands Trust, in Chester County a conservation by design tour. The Rain Garden Workshop is at Lower Township Hall on May 9 by Sara Pandel and the Saucon Creek Watershed Association and there's a \$10 charge for that. You do go home with a plant. The City of Bethlehem Planning Commission on Thursday, May 14 at the Hard Bean Café, is having a meeting on the Bethlehem Greenway. It's open to the public.

E. DISCUSSION ON EAC PACKETS BY EMAIL OR BY POSTAL MAIL – SANDY YERGER

Mrs. Yerger said we've been discussing, to prevent a lot of paper, if it would be beneficial to send you your packet through email. When I thought about it, I thought we have to still bring it here to discuss it and not everybody has a laptop, so for us, I don't know how that would work. We're going to put that on hold. Mr. Hijazi said he likes having both – one by email and also the packet. Mr. Beardsley said not everyone has email, so just email it to everyone who has email and then at least you don't have to mail them. At least you can save the postage and the packets would be here on the table when we get here. Those people who don't have email, you could mail them to them. It would be best to email it as a package. Mr. Maxfield said if it's emailed, why do you have to have a copy, about something like a workshop. Mrs. Yerger said she will talk to Diane about this and see where her comfort level is as far as determining workshops and what's more of a public service announcements. When we go through this, if we don't have it in front of us, not everyone has a laptop and it's kind of hard to go over this if you don't have it in front of you. For those of you who want to start using laptops, that's okay, if you have it and you want to, that's a perfect option. Mr. Johnson said I like getting the information on pdf because I can file things in my different folders. You can't mark up meeting minutes if it's in a pdf. Mrs. Yerger said what we

can do, at this point, is I can definitely tell Diane you want the pdf ahead of time to read. For the next month or two, then what we can do, unless you only absolutely want it by email, tell me, we'll continue to give you paper copies and will start to work through the process. Think about it. Next month you will get it emailed ahead of time and then you will probably get a paper copy for next month yet, then we will really start to work on the process on cutting back on some of the paper. Mr. Maxfield said yes, we have to cut back on some of the paper. Mrs. Yerger said there are some things that came through today, some came yesterday, so it's a problem for her because she won't know if everybody checked their email to make sure they are getting the last minute updates so that is also a problem at this point. Mr. Maxfield said can't the people email them to us. Mrs. Yerger said they come by email, but she doesn't check her email at home every day. Most people email here at work now. For her to count on everyone looking at their email between 10 AM this morning and now is probably not a reality. When it's last minute, it's going to have to be paper.

Mrs. Yerger said she is going to send around an email list so make sure your email is correct.

Mr. Kochanski said they create pdf of all their copies. It's not difficult. Mr. Maxfield said they should start asking the applicant to submit copies of maps digitally and we could cut back on copies. Mr. Kochanski said you look at what pages you want to see also. If it's 50 pages of a plan, you necessarily might not want to see all 50 pages.

Ms. Null said if you have internet available, there is something called google.docs where you don't have to save everything to your computer. It's stored in google and you share it and it doesn't take up any disk space. It's just a free storage program. You can just pull it up on the computer. Mr. Maxfield said those would be public documents. Ms. Null said with google.docs you can see who gets it. You get to add email addresses and those are the only people who are able to see it. You're able to monitor who is actually able to see the programs. Mrs. Yerger said we might want to check on that about the public documents and putting them on google.docs. You guys are the volunteers. They need to hear how you want your EAC packets, what would be the most useful for you and the way you want to receive it. Rather than pick and choose what documents would go out hard copy as opposed to email, it would be much easier to say, Kevin gets it hard, you get it email, etc., etc. and do it by person, not by document. Next month, you will get it emailed to you ahead of time and then you are going to get a hard copy also. You have a whole month, so think about it. Really think how you use these documents and how you view them. It will help you determine what you want. We just want it be beneficial to everyone. Mr. Maxfield said let's check into these the google sites. Another thing that would be really interesting if we got a digital agenda so Laura could go and put that on the EAC website ahead of time.

Mrs. Yerger said think about it, we will do both next month.

F. LANDFILL COMMITTEE UPDATE/BRE AIR PERMITTING

Mr. Hijazi said in the packet is an email from Diane about an issue that came up last time with BRE regarding the NOV. BRE changed their air permit to a general permit and Township is working with the DEP on that. Some of their air emissions exceeded their existing site specific permit, but may not exceed the limits under the general permit. That's why they elected to make the change.

Mrs. Yerger said does everyone know what leachate is? Maybe you should explain that to everyone. Mr. Hijazi discussed basic management practices of the landfill.

VI. NON-AGENDA ITEMS

- Mrs. Yerger said everyone should have gotten a copy about the last computer recycling event. We collected eighteen pallets, 10,071 pounds of electronics. Everyone was pleased. The next event is scheduled for October 24, 2009 unless someone has an objection to that. She thanked everyone who came and helped out. Does anyone see a problem with October 24? Mr. Beardsley said he asked A-Plus to come to the next recycling event and give us a remedial course in stacking pallets. They know some things that they never told us before. We need our guys from the Public Works to know this. Mrs. Yerger said they are doing their best, but they don't know all this inside stuff. Many thanks to everyone who was helping out that day. Overall, it went really smooth and everyone did a great job with it.
- Mr. Johnson asked about the Giant Refueling Facility. Mrs. Yerger said you got the information in your packet. If you want to discuss it, that's fine. Mr. Kochanski said he's not aware of any new or additional developments or plans at this time. It could be several months or a year for them to look at these issues. Mr. McCormick said he has two comments on that. The Hanover letter, in discussion of the underground tank issue, there is references to that liquid containment vault, promotional materials had been received. The HEA letter basically says we received some information about liquid containment vaults; however, they have not been incorporated into the plans. As I read that, it sounds like it is criticism from HEA saying, I saw some letter, brochure or some description of liquid container vaults, but they are not in the plan. It's almost like shame on you, next time put them in the plans. Perhaps they should have been put into the plans. The proposed use of liquid containment vaults wasn't accurately included in the plan, but he doesn't want to lose sight. That comment shouldn't be checked off as fulfilled until they fixed the plan. Now HEA is coaching them, please come back with a new plan, and please refer to them as liquid containment vaults or indicate that the tanks would be within a liquid containment vault. I know there is a dispute that it's a carbonate geology area, that point of the HEA letter is not relevant. My comment on the letter on the Boucher & James letter, it's almost like they are coaching them how to submit that it's not in a carbonate geology area, so he's wondering why. He could be misreading that. For a moment, does everyone know what I mean about the comment in the HEA letter about liquid? It's not fixing it, putting it in the plan is great, now the plan is more accurate or more complete. That's not the end of the debate. You know how we send these people a letter of fifty-eight things they did wrong. They say thank you. They then resubmit and we go down the list and say they fixed this, they fixed this, etc., etc. Simply by putting that reference in the plan is not a fix, in his opinion. It implies that the deficiency is a failure to mention the use of the vaults. What he is saying is that it is a deficiency, but the fix isn't to mention they are in the vaults because it still may or may not be adequate. The April 7, 2009 Boucher & James letter, page 5, comment d, it says our ordinance states additional requirements for the protection of carbonate geology areas, states it upon receipt of the proof and certification satisfactory to the Zoning Officer, from a licensed professional geologist that the area proposed for development is not underlying by carbonate geology. This section of the code does not apply. This is something I would expect to read in a letter from Council to Giant, and I was surprised to read it in a letter from the professional engineering firm representing Council. Why are we doing that? Why is Council, through its professional services firm, telling them how to get around the requirement of that ordinance? Mr. Kochanski said it was not us giving that direction to Giant telling them how to get around it. It was the applicant stating their position that it does not apply because they officially made that their position. We were noting if that is your position, and the ordinance allows for you to take that position, but because that's your position, you now need to meet the requirements of that section. Mr. McCormick said he thought their position was the carbonate geology says that you may not have underground tanks. Because this is in a vault, it is not an underground tank. It's different from affirmative defense they are making which you now describe as them saying it's not a carbonate geology area. He didn't know that was part of their submission. Mr. Kochanski said that was one of their points coming in that it doesn't apply to this area. Mr. McCormick said they

have already said the ordinance does not apply because even though it appears on some map in green, it's not. If you dig a hole there, it's not. That is what they said because all the conversation up until now, all that he has heard, is that they were saying the ordinance may apply, but we comply with the ordinance because we are putting it in a vault. That's a different issue. Mr. Kochanski said it's two issues and they are related. His understanding is their initial position is it's not carbonate geology. If it is, it still doesn't matter because we're still putting it in a vault. They are trying to cover their bases. Mr. McCormick said okay, let's win on both. HEA told them fix that and now all of a sudden it's in a vault. His first point was that's not the end of the debate merely showing it's in a vault. That's good, but that doesn't mean the vault complies with the requirements of the ordinance. Mr. Kochanski said we are looking at it from both ends. You are saying it's not in the carbonate geology, now you need to meet the requirement of the ordinance that says it's not in a carbonate geology area. Mr. McCormick said to the approval of the Zoning Officer. For now, what's the best evidence we have. Do we have a geologic survey that says it's a carbonate geology area? Mr. Maxfield said he thinks the county has it. Mr. McCormick said so somehow, it's listed. Now they are going to hire somebody and say it's not underlain by carbonate geology. He would argue that is insufficient for the Zoning Officer to reasonably conclude that it's not. Each side has a lawyer, so is it simply having Giant pulling in their licensed professional geologist, because if it's on a map, it was put on a map for a reason. Should we take Giant's word for it that it's not? Mr. Kochanski said it's not just a matter of a geologist coming in and saying, no it's not. That section is asking for documentation that says you must submit reports, and a whole list of things they will have to submit as evidence – not just someone saying no, it's not. Mr. Maxfield said we could ask that our representatives be there when they examine the area. Mr. McCormick said he doesn't know what the general inclination of the people who are going to make the decision is, he's saying from an environmental protection body, we should require strict adherence in all cases. We should give variances only absolutely where compelling and we should not take people's words for it. Our job is not to foster commerce in the Lehigh Valley. Our job is to protect the environment. They should have to jump through every hoop and they should have to jump core after core, and we should urge our Zoning Officer just because they say it's not carbonate geology area, they have to prove it. He doesn't want to surrender beforehand. As he read this, he became angered on Boucher & James letter that they were telling them how to get around the ordinance. If you are saying that was in response to them saying this is how we intend to get around it, then we need to hold their feet to the fire to prove their case. If you make it hard enough, they'll go somewhere else. That's a good thing. We have an ordinance that seems to ban this and he wants to see that we do. If we lose, we lose. Mr. Johnson said if they decide to hire a geologist, it should be looked over by our geologist. Mr. Kochanski said if Chris isn't comfortable at looking at something, then it will be passed on to our office. Either of these offices will have someone qualified and be specialized in that area. Mr. McCormick said he knows when things are not controversial and it just sort of goes through, the standard has to be satisfactory to the Zoning Officer. If you have something on letterhead from a licensed geologist that says it's not, again, in most cases, that would get pushed through and get deemed satisfactory. If we lose that fight, then we'll lose it but I think the standard for the Zoning Officer would be pretty high. When you have it on a map that was put together by the county, I'm sure it is wrong in some places, but it's intended to be accurate. Mr. Maxfield said not in their defense or anything, but the way the things have gone in the past, this is very similar to FEMA flood maps. These things are done on a larger scale. Often they would come in and the applicant would do an onsite test, right on that site and prove what FEMA said wasn't so. That could be what they are planning on doing here. When they initially came in, they met with Council and engineers, they had done sound testing and they assumed it wasn't carbonate as there were no fracture traces or old sinkholes in this area, it's pretty stable. His feeling now is he thinks they know they are going to be given a hard time, and we don't really want it. They are saying they have all this evidence. Chris knows, as a Zoning Officer, how the township feels. If he is uncomfortable, he will let us know. We've hired geologists before. Mr. McCormick said he's not hopeful we can block this. He just wants to get a fighting chance. Mr. Kochanski said he makes sure the plans are addressed. The ordinance is there for a reason. As

- Mr. McCormick said there was a letter from McTish and Kunkel on the Toll Brothers Meadows and he read it and still doesn't know what it says. He read about an end wall unit permit application. Do we know what that is? Mr. Hijazi said anyone who is doing disturbance associated with construction over an area of a certain size, they have to submit for an NPDES permit and part of that permit is a notification to notify the Township. Mr. Kochanski said it's storm water and it's a renewal permit. They are basically applying for an extension of that permit. Whenever you apply for these permits, you have to notify the municipality.
- Mr. Boos said Hellertown Council would not release the Tuminello property for sale. We are hoping they decide not to sell it.
- Mr. Maxfield said he's trying to organize within the next several weeks a small cleanup. A couple of weeks ago, a couple of people went to Polk Valley Run where the bridge is proposed to be right next to the park, and there is junk in the creek and has been there since the last hurricane. He'd like to offer it up to anyone who wants to help out. He doesn't have an exact date yet, but he got the okay from the township. He probably needs about two people with waders to get down in as there's a plastic barrel floating down there and jammed up against the culvert. Mostly it's just wood and building scraps. If anyone wants to help out, we can try to figure out a date.
- Mr. Kochanski said he wanted to touch base with you on a few items that were discussed. The first meeting he attended back in March, you discussed about the updating of mapping. That was completed into the beginning of the year and sent into the township. Jack and Leslie will have copies of that mapping for you for your next meeting and you will be discussing it at the July meeting. You'll have copies in June and then you will review it.
- Mr. Kochanski he will not be here for the June meeting and Judy Stern Goldstein has a conflict that night also. That's why they will not be discussing any of the EAC's comments in June. Those items we will discuss in July.
- Mr. Kochanski said the Pest Management Policy has been sent to Bob Davis to look at and we are waiting for him to solicit his comments. He hopes by the July meeting, this can be discussed. Mrs. Yerger said we hope to have it here to you by June, and then you'll have a month to review it, and in July, we will finalize it and recommend any changes or revisions, then send it to Council. Council can pass it and finally implement it in July. She talked to Mr. Cahalan and he said he was comfortable with that time line for staff.
- Mrs. Yerger said if anybody has people who would like to distribute this information on the rain garden workshop, it should be a nice one. Please take some extra flyers with you.

VII. ADJOURNMENT

MOTION BY: Mr. Maxfield moved for adjournment. The time is 9:13 PM.
SECOND BY: Ms. Laura Ray
ROLL CALL: 6-0 (Mr. Aranyos – Absent)